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SO Argentina quits the League which would not even consider her proposed amendments. It is a cruel blow yet not undeserved. For this League which took the name of an ideal to cloak the reality of an unholy alliance has been the tool of Britain and of France from birth, and the action of the Argentine delegation, in calling attention to the irrevocable character of that control, is a world service. Argentina is one of what are called the lesser Powers, but one with an export trade which permits greater freedom in diplomatic action than is enjoyed by the little nations of Europe. Argentina sought to revise the Covenant of the League, to liberalize it, and the great Powers which dominate the League refused to permit so much as discussion of the proposals. Argentina replied as a self-respecting independent nation should: she retired from the sessions of the Assembly. Lord Robert Cecil suggested that this was an unparliamentary course; but the Argentine delegates did not withdraw because their amendments were defeated but because they were not even discussed. Against such parliamentary tyranny they had no other alternative. The net result of the first session of the Assembly of the League is that this, which was to have been the great representative assembly, the parliament of the world, is left without power, a show-piece to deceive the audience while behind the scenes, in their carefully selected Council, the great Powers continue pulling the strings of imperial diplomacy.

THE Greek people have spoken almost as one man in demanding the recall of Constantine to the throne, and whether their voice is the voice of reaction, as the Venizelists insist, or of resistance to tyranny, as the majority seem to believe, is of small moment just now. The important thing is that they should get what they demand and that no foreign pressure or intervention should be allowed to stand in the way of the will of the people. Fear of the effect abroad of Constantine's return has resulted in an appeal issued by the Holy Synod and the Lay Council of the Greek Church summoned in extraordinary session at Constantinople calling upon the ex-king to surrender his claim to the throne to his son George. This appeal, coupled with the threats of Great Britain and France to cut off all financial aid from Greece if Constantine returns, may finally nullify the expressed will of the Greek people. The whole episode is extremely instructive, and should serve to show the world just how far the rights of a small nation extend. They extend up to the point where they begin to tread ever so lightly on the toes of the great Powers. Then suddenly they cease to be rights; the great Powers shake a stick, financial or economic or military, in the direction of the small nation, and self-determination looks the other way and wishes it had never been born.

"A MERE slip of a girl" one of the New York reporters called Mrs. Terence MacSwiney on her arrival in New York to testify before the Commission on Ireland, but surely no traveler from abroad ever made a more favorable impression upon the cynical and callous press of the metropolis than this same little Irishwoman. Her personal charm, her modesty, her frankness, and her firm refusal to lend herself to any exploitation, won for her, quite as much as her pathetic story, most favorable treatment—even from newspapers hostile to her cause. But the lesson of her remarkable public reception relates, after all, less to herself than to her husband. His extraordinary martyrdom, made all the more real by this personal evidence of how greatly he sacrificed for his country, continues to move multitudes—as must always be the case where there is true moral heroism at the cost of one's life. True, respectable souls in the East and their organs who see in Sinn Fein nothing but ugly hooliganism, murder and revolt against a sacredly established order, are not in sympathy with Mrs. MacSwiney's coming or her tragic cause, and insist that her visit proves again that *The Nation's* Commission on Ireland is merely a one-sided, pro-Sinn Fein affair. It is regrettable that the numerous pro-English witnesses urged to come at the expense of the Commission have nearly all declined. That is not the Commission's fault; but it has strengthened its determination to send a committee abroad, as urged by British Labor Party leaders, in order to hear the British side on British soil.

MEANWHILE, there is an obvious and most welcome effort in England and Ireland to bring about a truce, and Father O'Flanagan, the acting head of the Irish Republic, has asked Lloyd George what he offers as the first step. It is a great test for the Prime Minister. An olive branch held out now would probably save hundreds if not thousands of lives and endless misery. True, Lloyd George

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has said that he would never compromise nor negotiate with Ireland until her people absolutely submitted. But what Lloyd George says on one day has little if any bearing upon what he will say and do the next week. There was a day when the Lloyd George Government officially stated that it would never rest until it had hung Lenin and Trotzky, to say nothing of the Kaiser. The Kaiser still lives and Lloyd George negotiates for business with the same Lenin and Trotzky. It is for every lover of peace between the United States and England to pray that the sober second thought on Ireland may come promptly to Lloyd George in the face of the growing unhappiness of public opinion the world over as to what is happening on Erin's soil. There is no time to be lost. Already, as *The Nation* has feared, the dangerous precedent of Cuba in 1898 has been brought up as a reason for forcible intervention in Ireland. True, it comes from such an unrepresentative agitator as Judge Cohalan, but hysteria and bitterness are rampant throughout the world, and violence and oppression evoke such deep and contagious resentments that the argument is likely to be caught up by men whose advocacy of it will do far more harm.

THE League of Nations has gravely submitted the question of Armenia to the voluntary mediation of friendly Powers, and President Wilson has accepted the task of diplomatic intervention and been joined by Spain and Brazil. Representative Langley of Kentucky has introduced a concurrent resolution in Congress giving notice to the world that this action of the President "is not to be construed as in any way obligating this Government to the use of its land, sea, or air forces or its financial or other resources for any purpose whatsoever in connection with the affairs of Armenia." What, meanwhile, is happening in Armenia itself—the center of all this concern? An Armenian Soviet Government is reported to have been set up, following the recent capture by bolshevist forces of Erivan, the capital of the country. This government has been recognized by the Russian Government, which has sent a message to Mustapha Kemal demanding in vigorous terms the evacuation by Turkish troops of all Armenian territory. Peace negotiations between the Armenians and the Turkish Nationalists are in progress at Alexandropol. Thus, while the Allies parley at Geneva and Mr. Wilson accepts the task of intervention, the Armenian problem moves toward its solution by other means. The Armenians asked for force, not diplomacy, to deal with Turkey. The Turks say that the dispute has already been ended through the kind intervention of the Russian Soviet Government. But the League of Nations and President Wilson proceed with their solemn farce of international government and of insisting upon settling the affairs of nations even when they have been settled.

SEIZURES of public buildings and idle residences by unemployed British workers reveal a new and pregnant temper. Fifteen private residences, five public libraries, four town halls, two public baths, are reported occupied by groups of unemployed and homeless men who have calmly walked in and made themselves at home, and barricaded themselves against ejection. So far, they remain in triumphant occupation. Meanwhile, the number of unemployed increases, and there is nothing so encouraging to extremist philosophy—and action—as persistent joblessness. "The rapid spread of unemployment," according to the American consular reports, "overshadows any other development in the British industrial situation." It comes just as the new unemployment insurance law, extending the old act to cover some ten million workers, and raising the weekly benefit to fifteen shillings, goes into effect. Will this dole dampen the rising fires of discontent? Out of the army of the unemployed, the Government is able to recruit its armies for Ireland, but the same army may show its teeth at home.

NOT the least of the disgrace to the United States caused by our occupation of Haiti is in the course of the Naval Board of Inquiry which has been sitting at Port-au-Prince. We are indebted to Mr. Wilbur Forrest of the New York *Tribune* for a series of informing dispatches which have filled many of the gaps left by other correspondents. We learn that the Naval Board of Inquiry has been zealous in informing Haitians of the heavy penalties for perjury, but has given little encouragement to testimony. We learn that a group of prominent citizens has cabled to Secretary Daniels protesting against the exclusion of evidence by the Naval Board, which, they declare, departed "without investigating numerous alleged cases of mistreatment and murders of Haitians by members of the United States Marine Corps." There must be a Congressional committee to probe thoroughly all these ugly charges; but the first condition of a competent search for the truth in Haiti is the removal of the military rule which has cowed the islanders and intimidated the Haitians so that they fear reprisals, whether justly or not we cannot say, if they venture to tell what they know. Letters from Haiti reaching the office of *The Nation* still come showing evidence that they have been opened and resealed. We hope that the public's attention will not be so concentrated upon individual atrocities which are only symptoms that it will neglect the fundamental vice of alien military occupation against the will of the inhabitants.

OBREGON has announced the new Mexican Cabinet. In the main, it continues the ministry of de la Huerta. De la Huerta himself becomes Secretary of the Treasury, but it is reported that he will come to the United States for an operation for appendicitis before taking up the work of his office. General Benjamin Hill, who like Obregon, de la Huerta, and the new and progressive Secretary of the Interior, Calles, is a native of Sonora, becomes Secretary of War. Dr. Cutberto Hidalgo, the new secretary for Foreign Affairs, was Assistant Secretary in the de la Huerta Cabinet, but is otherwise a new man in Mexican official life. General Villareal, and Rafael Capwany, both of whom held high office under Carranza but protested against his later dictatorial ways, are also in the Cabinet. Villareal lived in the United States when Washington gave Diaz unreserved support, and there learned the taste of international persecution. There are, as always in Mexico, too many generals in the Cabinet, but in the main it represents the moderately progressive elements. With the establishment of the elected Obregon regime in office, there is no excuse, except a too tender solicitude for American oil interests, for longer postponement of recognition of Mexico.

THE investigation of the Shipping Board has now passed far beyond the stage when it could be glossed over by saying that the waste and confusion were a necessary outcome of the effort to defeat the Germans in a hurry. Thus, more than two billions of dollars expended, nearly one-half the total disbursements of the Emergency Fleet

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Corporation during a period of seventeen months, were unsupported by proper vouchers. From every quarter comes testimony of graft, favoritism, inefficiency, incompetence, and unparalleled waste. This was patriotism, this was serving the country in the cause of humanity! Hundreds of millions of dollars of the people's money has been as much wasted as if it had been thrown away. Now the question arises, what is to be done about it? Is the whole episode of war waste and extravagance and theft and graft in the several war-making departments of the Government to go wholly unpunished and the perpetrators unwhipt of justice? *The Nation* has long since passed the point when it thirsted for prison sentences for wrongdoers; but when it thinks of what has been done to conscientious objectors and protestants against the war, it does wonder why it is that the higher-ups invariably go untouched. Somehow or other, in some way, this great republic owes it to itself and to common honesty to see that some of those guilty should be made to feel the force of an outraged public opinion. Else why should one seek to punish the burglar and the highwayman?

NEARLY a score of country banks in North Dakota and a national bank in Colorado have closed their doors recently because loans have been called by big city banks while, owing to the drop in grain prices, the smaller institutions have been unable to collect their loans to farmers. In North Dakota the depositors will fortunately not be losers, because that is one of the four States that guarantee bank deposits. The *Nonpartisan Leader* presents striking evidence that the closing of these banks was not inevitable but was forced by a plan on the part of millers and grain speculators to call farmers' loans and so compel them to sell their crops at once for whatever prices they could get. A letter is printed in facsimile as sent by the First National Bank of Minneapolis to country banks in the ninth federal reserve district in which they are urged "to get their loans to farmers reduced at as early a date as possible, so that we in turn will be able to help the movement of farm products to the markets by loans to all grain merchants." An analysis of the directorate of the First National shows that four of its twelve members are millers, another four are connected with grain companies, and all but one are members of the Minneapolis Chamber of Commerce, where the control of the grain industry of the Northwest is centered. The directorate of the First National is not unusual, but typical of those of most of the large banks of Minneapolis and St. Paul.

IT is stimulating to turn from the records of politicians and profiteers to the life of Dr. Charles Infroit, who has just died in Paris a victim of X-rays after a life devoted to the study and exposition of their use. He was only forty-five when he died, and, having known from the time he began his work that it would take him as surely as an incurable disease, he had never married. His death by slow degrees began three years ago when one of his fingers, smitten by the rays, had to be amputated. Other fingers went, and finally his right and then his left hand. He equipped himself with artificial hands and continued his surgical work and his lectures until he was bed-ridden by the involvement of his legs. In all he had twenty-four operations. "Only lead armor half an inch thick could have saved me," he once remarked, "and with that I could not have done my work." Happily, Dr. Infroit's unselfishness and devotion are not unique in modern science; many others in greater or lesser degree attain to it. Walter James Dodd, Boston's pioneer Roentgenologist, was another recent victim after the incredible torture of many amputations. The new religion of humanity, no less than the older creeds, has its martyrs and its missionaries to make humanity proud and the surer of its future salvation.

THE gift of £10,000 made by the Carnegie Endowment for International Peace to the fund for the restoration of Westminster Abbey amounts to more than a symptom of Anglo-Saxon solidarity. That, of course, it is. This donation recognizes the common heritage of the stock which was still undivided when the Abbey was built; it recalls the common memories of a race which through an unexampled diversity of adventures has preserved a single language, if not at all points a similar religion or similar customs and habits of thought. Longfellow no less than Tennyson has a place of honor in the Abbey, and the essay which Washington Irving wrote upon the Abbey a hundred years ago belongs as clearly to the classics of that memorable structure as does the essay by Addison of a hundred years before. The shrines of a race are associated with sentiments which transcend merely national prejudices and provincialisms. And it is but a step from the idea of Anglo-Saxon solidarity, as signified by the action of the Carnegie Endowment, to the idea that a profound solidarity also exists, and must not be forgotten to exist, between America and all Europe. The blood of each of the European states is in us. Ugly political quarrels may separate us for the moment, economic rivalries and jealousies. But these in the long run are less important, as they are less permanent, than the fellowships of culture and humanity which bind together all the races which understand each other. The gift to Westminster Abbey ought to be but the beginning of American help in preserving the memorable places of Europe. Are there not also Louvain, and Rheims, and Milan, and Cologne, and the Kremlin, if help ever happens to be needed?

THE destruction by fire of the old Salem Custom House means more than the loss of the "brick block" which it has been for half a century. It means the death of a shrine. In these precincts Hawthorne wasted away the months when he was an official, salvaging only the hours in which he watched the habits of those dusty butterflies, his colleagues, whom he later pinned in their proper cases in his Introduction to "The Scarlet Letter"—an essay which naturally vexed Salem, but which takes on an increasing charm with the years, an essay bubbling with high humor, sharp and bright with satirical strokes of character, and rich with the full memories of leisure. Under the roof of this building, too, Hawthorne claimed that he had found the musty documents out of which came the story of Hester Prynne—documents which of course were purely fictitious, but which he made as real as the powerful tale he built upon them. Nor has the later pen of Joseph Hergesheimer in "Java Head" failed to throw over the Salem Custom House, as over all Salem's wharves and warehouses, the light of a gorgeous antiquarianism. The Custom House to all appearances was the last place which poetry and romance would ever have sought out for a dwelling, but they did seek it, with the waywardness in which they surpass almost all things calculable or incalculable.

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Our Outworn Congress in Session

THE reassembling of the dying Congress serves at least the useful purpose of calling attention afresh to the anachronism by which four precious months are wasted between election day and the seating of a new Administration. With unprecedented one-sidedness the electorate chose Warren G. Harding to the Presidency on November second, but four months must have elapsed before he can take his place in the White House. Meanwhile, a Congress entirely unrepresentative of the public's present mood and wholly out of touch with the present President must waste time and money in legislating for three months under circumstances which render wise and constructive measures impossible. Surely, after this illustration there should be few to deny that in this matter, as in numerous others, the Constitution is in need of early revision. Great and pressing issues confront us—vital matters which the shell-shocked and palsied outgoing Administration has been unable effectively to grasp. But Congress, by virtue of our obsolete governmental structure, will fiddle for a season while the world still blazes. A constitutional convention which reformed only this obvious defect would amply justify itself.

The result today is practically a paralysis of government. Senator Lodge declares that Congress will do nothing but pass the necessary appropriation bills. Relief from excessive taxation, the declaration of peace with Berlin, a radical overhauling of the machinery of government in the interests of efficiency and economy, these and a host of other questions must go over until the extra session which Mr. Harding will doubtless call. Mr. Wilson, we presume, will refuse to sign any resolution ending the war with Germany, despite the fact that he will be merely postponing the event thereby and adding to the suffering and injury done to hundreds of thousands of people by the continuance of the fiction that this country is still in a state of war. As for the Administration itself, as in every similar case when there was a change in party, its members are interested only in marking time or preparing to obtain new jobs in civil life. Just as Mr. Taft deferred all action in Mexican affairs pending Mr. Wilson's assumption of the Presidency, so, we are informed by high authority, will Mr. Wilson do nothing whatever to remedy the conditions in Haiti and Santo Domingo. The question of the League of Nations goes over, of course. In no single department of the Government will any constructive work be undertaken.

Would the new Congress really reform anything, or give us constructive measures if it were to assemble tomorrow? We must confess that there is no assurance whatever that it would, and yet the fact does not invalidate the argument that the Congress which has just met should be the one chosen last month and not one that was elected during the war and prior to the armistice. The new Congress whenever it meets will, of course, have the same defects of recent Congresses and will be less likely than ever to function well and wisely because of the stupendous Republican majority controlling it. Its rules and procedure will be as antiquated as ever; it will have all the old inertia and will be just as ready as today to promote to important positions as committee chairmen men whose sole claim to distinction is long service, be that as mediocre or as inefficient as may be. It is perhaps true, as the New York *World* points out, that Congress has "long been the most incompetent, the most shiftless, and the most irresponsible branch of the Federal Government." But like all generalizations, this one does injustice. There have been numerous instances when the Congress has stood between the Executive and wrongdoing; unlike the *World*, we are profoundly grateful to the Senate for its stand against the treaty and the League. Whatever its motives, it has saved the country from a stupendous blunder and, what is more important, the ratifying of a treaty which would have dishonored America.

But whether the sweeping denunciation of the *World* is merited or not, the time is surely here to discuss as it does whether we should not have parliamentary government in place of Congressional. *The Nation* has long fought for the seating of Cabinet ministers on the floor of Congress, for this would not only coordinate Executive and Congress but would give the legislature the control over Cabinet members which it ought to have. If it had had it during the last two years we are bold enough to believe that it would have been impossible for Mr. Wilson to retain in his Cabinet in defiance of public opinion men like Daniels, Burleson, and Palmer, nor would these men have been able to conduct their departments without having to be accountable to public opinion. The institution of a question hour and the use of the question privilege by skilful opponents must long ago have retired them to private life.

The House will not even obey the mandate of the Constitution and reduce the representation of the Southern States in proportion to the disfranchisement of their colored citizens, yet the political inequality thus created gives to the actual voters in the Southern States a far greater political power than that possessed by voters where there is no color line. We agree with Congressman Tinkham of Massachusetts that there "can be no double standard of Constitutional enforcement," and that "the political morality of one State of the Union must be the political morality of all States of the Union." Of what use is it to punish the small fry who violate the laws of the country if the Congress of the United States refuses to obey the plain commands of the Constitution as to its own membership and organization? This merely brings the whole Constitution into contempt. Here is a reform which Congress could put through in the short session if it would; other and more far-reaching changes can only be left to a revision of the Constitution itself. We have had so much silly and stupid worshiping of the Constitution that it is most encouraging to find as influential a paper as the New York *World* calling for that Constitutional revision for which *The Nation* has so long appealed. In squarely coming out for the parliamentary system as against the Congressional, it truthfully declares that: "Every intelligent American citizen knows that the machinery of Government is breaking down. He knows that public confidence in Government is at the lowest ebb." And it concludes as follows:

> The cold, inexorable fact is that the Congressional system is no longer adequate to the political necessities of a nation of 105,000,000 people. The failure of government is largely the failure of that system, and until the legislative machinery is modernized, the affairs of government are bound to go from bad to worse, no matter what party is in power or what its policies or promises may be. An ox-cart cannot do the work of an automobile truck, and an ox-cart does not cease to be an ox-cart when it is incorporated into the Constitution of the United States.

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The Dictatorship of the Sabbatariat

THE agitation over the kind of Sunday we ought to have has in almost all quarters left out of account the fact that our Sundays are too blue already. What we need is less stupidity on such days rather than more. Proper protection is now and must of course always be afforded to all services of religion on that day, so that disorder may not deliberately disturb true worshipers. But so much being provided, Sunday ought then to be free to be employed as the conscience of the individual warrants—for work or recreation as he chooses. The orthodox have no more right to force a Puritan Sunday upon the unorthodox than these have to force upon the orthodox a Sunday of riot and uproar. The French law is the sensible one: according to it every worker is entitled to one day of rest in seven, and which day it shall be is left to the convenience of the persons interested. Custom, of course, makes Sunday the day ordinarily selected.

American sabbatarian reaction is being met with a resistance which should have been aroused during the war and the two mad years since by a dozen similar public encroachments upon private liberty. Let no one question that the aims of the Lord's Day Alliance are thoroughly reactionary. It announces, through the Rev. Dr. Bowlby, that it will, this winter, approach thirty-five legislatures with a demand for laws to enforce the particular kind of blue Sunday that the Alliance thinks good for the country; and Dr. Bowlby darkly threatens that if things go badly in the States nothing will remain for the Alliance to do but to undertake an amendment to the Federal Constitution. There is apparently plenty of money for the campaign; there is a fanaticism which, to judge from the remarks of Dr. Bowlby, is both fierce and frozen; there is the insolence of the fanatical; there is also, we suspect, a mood of desperation back of this scheme. That desperation comes from the discovery on the part of certain churches and parsons that they can no longer hold the congregations to which they believe they have a vested right. They are consequently asking the civil powers to put out a hand to help them—and are in the same breath invoking the memory of the Puritans who left England because the churches there had just this sort of backing from the civil authorities, and used it.

The Lord's Day Alliance, of course, protests that it does not mean to compel people to go unwillingly to church, but merely to compel quiet and order on Sunday so that nothing unpleasant may disturb the willing worshipers. Quaintly sensitive souls, these gentry, according to Dr. Bowlby! They want Sunday newspapers to be restricted if not abolished; they want to permit no more trains and trolleys on Sunday than are necessary to carry the pious to and from church; they want the post offices to be rigorously closed; they want to forbid all games and sports, all Sunday excursions, and all motion pictures, to shut up all theaters and all places of amusement generally, and to make motoring, if not impossible, at least difficult by some sort of regulation of the sale of gasoline. Beyond these plans lie others not yet formulated, but all of them of the same complexion. The amazing intolerance of the fathers of the plot is well illustrated by the reported declaration of Dr. Bowlby that Jews are under the same obligation as Christians to observe the Christian Sunday. And the appalling fatuousness of these same agitators appears from the argument of Dr. Howard A. Kelly of Baltimore that fishing on Sunday should be prohibited for the sake of the poor suffering fish.

Impossible as these spokesmen make their cause seem, it is by no means a cause which can be overlooked. Fanatical minorities are always dangerous, especially when they fancy they are doing the will of the Lord. In this particular case a certain plausibility is lent to the arguments of these sabbatarians by the relaxed conditions of morality which have followed the war. It is true, indeed, that no one contributed more to this relaxation than certain of the clerical gentlemen who are now yammering for iron laws with which they can rebind the forces they helped to let loose. But such persons know nothing and never learn anything. The only guides to virtue they employed before the war were the dogmas of a moral absolutism. When they briskly gave that up for the sake of their tribal deity they were horrified to find how swift the relapse was. And now, of course, they can think of nothing better than to go back further than ever into the dead past for help in their perplexity. If they knew enough history—though not too much—they might follow the lead of Swift, who influenced the Harley ministry to build fifty new churches in London as the best way to promote religion. Instead of anything so robust as this, our dictatorial sabbatarians have fallen upon the musty Puritan sabbath of the seventeenth century as their most effective tool.

That the thing is both preposterous and inequitable they seem not to see. We have enough absurd laws on our statute books already, but they have been ordinarily regarded as springing from the ebullience of backwoods bigotry, and they have been honored with disobedience. But in the madness of reaction now current, anything may happen. Here somebody begins fresh war on the cigarette; there somebody tries to enact legislation against high-heeled shoes; elsewhere impudent sumptuary laws of all sorts are urged upon our law-makers. The Methodist bishops snub actors with an ecclesiastical arrogance that calls to mind the treatment of Adrienne Lecouvreur against which Voltaire made his magnificent protest. Doubtless, the reactionaries who sponsor such folly will drive us in time to another Restoration, with its attendant saturnalia. Certainly cynical disregard of sabbatarian regulations will accompany them. But meantime there is the injustice of such laws to be considered. Clerks and students and factory hands, like all persons of sedentary occupations, are to be condemned to dull and stuffy Sundays, without exercise or amusement. Catholics, whose church discipline permits them a sane and healthy Sunday, must observe the type approved by Protestants. Orthodox Jews must lose a whole day out of their week of business. The cities, to which Sundays are as necessary as parks, must suffer for the sake of the villages which demand the sabbatarian laws. Whatever the motives or whatever the processes, the fact is that the theological prepossessions of one rampant group of Americans will, if these blue laws are passed, invade the civil government and employ it to practice upon the people as a whole a tyranny absolutely in contradiction to the whole spirit of our institutions, which have made no prouder boast than that church and state are here entirely separated.

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Building on the Hague

THE NATION recently suggested a program for a new world association which, it believed, might be accepted by the coming administration in this country and by the nations of the world, uniting them in a common purpose. As an alternative to the Geneva League, which the American people rejected so overwhelmingly at the polls, it urged a return to the Hague Conferences. Abandoning the League, with its selective membership, its despotic Council control, and its innate association with the provisions of the Treaty of Versailles, *The Nation* proposed that President Harding call the postponed Third Hague Conference, of which all the nations of the world, including Germany, Austria, Hungary, Bulgaria, Russia, Mexico, and Santo Domingo, which were excluded from the Paris-born League, are already members; that this Conference organize a permanent court with jurisdiction in all international disputes; that the member-nations agree to outlaw war—that is, accept the principle of judicial settlement for *all* international conflicts, thus ruling war under any circumstance illegal rather than including it, as now, as an accepted legal weapon within the limits of a somewhat mystic code known as the "laws of war"; and that the Conference then proceed toward universal disarmament. *The Nation* did not attempt within a single page to give a detailed and exhaustive draft constitution for such a world association. It conceived its program as an outline of a realistic relation of the present-day world situation to international ideals.

The *New Republic*, recently reconverted to the League after eighteen months of militant apostasy, rejects this program vigorously in its issue of November 24. Its argument seems to fall into five main charges: first, that *The Nation* is self-contradictory in proposing at the same time disarmament and nationalization of the manufacture of munitions. (We urge universal disarmament, but while disarmament is partial we also urge nationalization.) Second, that it is utopian and vain to attempt to outlaw war, and that no court could handle all international disputes. Third, that *The Nation's* program omits legislative and administrative machinery. Fourth, that it is based upon a false parallel to the Supreme Court of the United States which, although it has indeed no force to execute its decisions, is but one organ of a complete government and functions in a relatively homogeneous country. And fifth, that our program "pours out the baby with the bath" in rejecting the Geneva League which, despite its entangling relation to objectionable treaties is, in the present eyes of the *New Republic*, essentially sound.

Should the present League develop into the genuine organ of world progress which inspired so many liberal dreams during the war, *The Nation* would be glad indeed. It has watched with intense interest and genuine if faint hope the sessions of the Assembly of the League at Geneva, aware that there if ever was the chance for the League to remake itself. But too often in these recent years has pessimism, when applied to the ways of statesmen, proved the only honest and intelligent course. The League of Nations as it exists today and as it must continue to stand unless rebuilt from the ground up, is not the liberal league of war-time speeches; it is an instrument for the enforcement of the Treaty of Versailles and the treaties which followed, treaties which the *New Republic*, like *The Nation*, believes iniquitous and maleficent. It is dominated by a Council in which the control of the great Powers is riveted secure; and it cannot be amended except by unanimous consent of that Council. The only hope of its revision is such a revolution of the other member-powers as would smash the League and frighten the great Powers into changing its entire spirit and revising its constitution, article by article, from beginning to end. *The Nation* does not see that revolution occurring at Geneva, nor hope of it. It therefore suggests that the making of a true world association of nations be begun at the Hague.

The Hague already has a great tradition. The two conferences held there in 1899 and 1907 made all the progress that has been made toward codification of international law, and took steps toward international adjudication and cooperation which might well lead to some degree of international government. These Hague Conferences did not exclude peoples from representation because some of the great Powers did not like them or their form of government, present or past. In those conferences is the germ of an all inclusive, truly democratic, world league. The Hague Court achieved what has been achieved toward pacific settlement of international disputes. The negotiations of the new League to settle the Aland Islands controversy, its pitiful attempt to pacify Lithuania and Poland, are as nothing in comparison with the success of the Hague Court and Commissions in averting the imminent Russo-British outbreak in 1904, in settling the dispute of Germany, Great Britain, and Italy with Venezuela in the same year, the Norway-Sweden dispute in 1909, and a dozen other disputes which might have led to war.

The great weaknesses of the Hague agreements were that they did not involve agreement always to resort to judicial settlement and to abide by the verdict, and that they distinguished between justiciable and non-justiciable disputes, using instead of "non-justiciable" the earlier phrase "involving honor or vital interests." Germany was the principal objector to these advances. But Germany since then has lost a war, and changed much. The peoples of Europe today, utterly and miserably weary of war, are in no mood to refuse to accept the principle of judicial settlement. What Government would dare refuse? Yet the illusory League of Nations takes no such step—*vide* Article XIV of its covenant; it almost tears down what the Second Hague Conference established. The sanction to enforce observance of the agreement, that of the united public opinion of the world, although it has forced acceptance of every international arbitral award in the past, and although it is similar to the only sanction which enforces the decisions of the Supreme Court in the United States, is still not certain of unfailing success. Yet, short of the actual disarmament to which the Third Hague Conference might lead, it is the best sanction available—vastly surer than such an international army as the present League may establish. And it applies with equal force to the powerful and the weak, and is perhaps greatest in the mighty modern empires where the League army is impotent; nor could the political verdicts of the League Council command any such world opinion as the judgment of a court. Such outlawing of war is part of the program of that shrewd statesman, Senator Knox, who here carries on the tradition of Charles Sumner. In fact even the *New*

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Republic, when summarizing "The Essentials of a League of Nations" in its issue of February 15, 1919, declared that "the primary object of the world covenant will be to *abolish* war as a means of deciding controversies among states" and that "if the free peoples do not outlaw war, war will . . . devour civilization."

Does this plan "omit legislative and administrative machinery," and provide no organ for revision of international law once it has been codified? It would seem superfluous to point out that successive Hague Conferences would continue the task of the Third. And around the Court and the Conferences, with some such permanent organization as the earlier Conferences adumbrated, would naturally cluster some of the functions now attached to the League. But a secretariat or a league is not, as the *New Republic* implies, necessary to such matters. The international postal organization has long functioned apart from any league. The Danube River Commission of the years before the war was a remarkable example of successful international administration. One of the vices of the League is its commitment to objectionably organized international commissions imposed upon it by its parent and life-giving body, the Treaty of Versailles, which it is powerless to revise.

The Nation's plan is no perfect all-inclusive plan. It assumes no change of heart in Governments; it suspiciously refuses to put dictatorial international power in their hands. It is a possible plan, not seeking to commit America more than the people of America are willing to be committed, carrying on the best traditions of the past, and resolutely setting its face against the execrable series of treaties spawned by the late war. With it as a basis we could look forward with more confidence in the international future than if by some mischance we were condemned to build our hopes upon the League and with it upon the Treaty of Versailles.

The Nobel Prize Poet

THE awarding of one of the Nobel Prizes for literature to the aged Swiss poet, Carl Spitteler, throws a late and sudden brightness on a reputation whose fortunes have been strange and varied. Spitteler was born in the Canton of Basel in 1845, and more than a generation ago, Nietzsche called Spitteler "the finest writer of the age." His great countryman, Gottfried Keller, also admired without wholly understanding him. Yet Spitteler's audience was, until very recent years, excessively small and has once more been diminished by the war. The reason for this is not far to seek. Spitteler is stubbornly lonely without being indisputably great, and only a great poet can afford isolation from the movements of his age. He attacked naturalism; he would have no dealings with the neo-romantics. His ideas are vivid, brave, and fresh. But he fortified them by an appeal to the past and embodied them in rapidly fading images and forms. His essays and his sharp, sinewy poems have been overshadowed by his more ambitious works. And these were not likely to commend themselves to audiences which want their songs lyrical and their stories in prose.

It was, from the beginning, Carl Spitteler's ambition to be an epic poet. His young manhood was filled with dreams and labors over vast epical structures. We hear of a "John of Abyssinia," an "Atlantis," a "Theseus," a "Heracles." None of these actually ever got themselves written down. The poet believed in naively heroic narration and could not achieve it. His first published work, "Prometheus and Epimetheus" (1881), was strongly symbolical, written in an interesting compromise between blank-verse and prose, much more like a minor "Zarathustra" than like a modern "Iliad." Perhaps he recognized the fact. For many years, at least, he turned to prose, to satiric and lyrical verse, and to poetic narrative on the smaller scale of the ballad. His prose lacks both incisiveness and elegance. The shorter poems in "Literary Parables" ("Literarische Gleichnisse," 1892) and the "Ballads" (1896), with their strong sense and virile versification, may finally prove the securest foundations of his poetic fame.

From his own point of view, however, these books were but fragments from the workshop in which was being wrought the great symbolical epic "Olympian Spring" ("Olympischer Frühling," 1900-1905). In this vast poem Spitteler sought to exhaust through symbolical representation all the chief forms of human effort after the enrichment and fulfilment of life. The substance was to be of a fiery spiritual reality, the form withdrawn into a timeless realm of art. The verse is the Alexandrine which here loses its Germanic stagnancy and alternates between steel-bright clash and surging, wave-like tumult. An extraordinary brightness proceeds from the poem. There is no doubt that it dazzles, but it never warms. Its ultimate place in literature will be a subject of debate for many years to come. In the meantime the giving of the Nobel prize to Spitteler serves well to call attention not only to his books, but to a very lofty character, to a mind undeviatingly devoted to the austerest artistic activities and yet kept human by that sturdy Alemannic forthrightness which is so vivid in the description of his contemporaries that forms the epilogue of the "Ballads":

> No virile marrow theirs, a sickly dough—
> Fists brave enough, but wills that never glow;
> No courage that in conscience has its seat,
> No spirit in which truth and freedom meet.
> Tricked out in moral rags and wisps they try
> To catch approval in a neighbor's eye;
> Public decorum hides the private fact
> And every hypocrite is loud for tact.
> With unguents and devotion drips each head,
> Praising a God whose very shade has fled.
> Prudes to the bone, they try to curb or maim
> The faintest stirring of that nobler shame
> Which takes the mirror down and seeks to gauge
> Our values on the world's historic stage;
> For what of old our fathers' virtues made
> They've chaffered for in markets or betrayed.

The choice of Spitteler for the Nobel Prize, it may finally be added, has the air of an afterthought. Richard Dehmel had, we understand from his widow, been practically assured of it, and died without quite having set his house in order on account of that certainty. That left no German poet of undisputed eminence. It would, however, be interesting to follow, could it be done, the reasons which prevailed with the givers of the prize, to pass over Henri de Régnier or even Jean Moréas among the French or, one might venture, Thomas Hardy among British poets. Idealism is, to be sure, among the notes of the recipient's work. But a definition of idealism that could include Hauptmann and Hamsun might have been stretched to cover Hardy's severity of mood.

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In the Wake of the Espionage Act

By WALTER NELLES

THE average man is not much interested in abstractions. You may with comparative ease convince him that a trial or a statute does violence to sacred principles. But he does not show excitement or distress. He leaves that for the friends of the poor devil in jail—who, after all, must have made himself a good deal of a nuisance or he would not have got into such a mess.

In other words, the practical implications of violation of civil liberty seem remote. Some time, however, we shall have to wake up to them. A very good time would be the present.

Civil liberty means this—that every one may think for himself upon every public question; that he may say what he thinks; and that he may do his utmost, and get his friends to do theirs, to bring what he thinks home to the minds and hearts of others. We do not now have civil liberty in the United States. It is splendidly guaranteed in our constitutions. But words are not facts. "Though it is scarcely possible to meet an intelligent man who will defend the peace," writes Mr. Lowes Dickinson in the *Atlantic Monthly* for April, 1920, "it is almost equally impossible to find one who will say publicly what he thinks. Men seem to be terrorized by the fear each individual has of what all the other individuals taken together are supposed to be feeling and thinking, till it sometimes appears as if public opinion were the opinion which nobody holds, but which everybody supposes other people to hold." Our loss of civil liberty is due to the prevalence of the cowed mind. Most people hate persecution. But very few will say so in particular cases in opposition to an imagined contrary public opinion. Hence a comparatively small number of lawless and law-abusing individuals have been able to carry through a regime of repression.

As a direct agency of repression, the Espionage Act is dormant. An observer finds almost daily evidence, however, that we are living in its wake. I think it has done more harm to people out of jail than to those it imprisoned—and I do not make light of what jail means in terms of human suffering. But it is upon the minds of people out of jail that fear of punishment for heresy has wrought devastation. The "mobilization of the mind of America" worked so well that it has left that organ somewhat incapacitated for independent thinking. In addition to the harm it did to social morale, the Espionage Act furnished vicious precedents in the field of jurisprudence—precedents for vague and disingenuous statutes and for methods of administration more disingenuous and not so vague.

There was never any serious question of the constitutional validity of the espionage law as originally enacted.* It was not a law which forbade anyone from saying to anyone else, anywhere, whatever he thought—right or wrong, intelligent or foolish, moderate or extreme, orthodox or heretical. It did not forbid criticism of the war, or any opinion whatever about it. It forbade certain definite things—for example, "*wilful obstruction of the recruiting or enlistment service of the United States, to the injury of the service or of the United States.*" Congress clearly had a right to forbid such things. According to the normal principles of Anglo-Saxon jurisprudence, proof of violation of the espionage law would have involved evidence directly establishing:

1. *Actual infliction of definite and tangible injury* upon the recruiting service, or some other military agency;
2. That this injury was *inflicted by the person indicted.*

In trials under the espionage law such proof was not furnished or required. Thousands of persons were arrested under the Espionage Act. There were 877 convictions between June 30, 1917, and June 30, 1919. I have not been able to learn of a single instance in which it was proved, or even attempted to be proved, that the recruiting service—or whatever other military agency was in question in the particular case—had sustained an injury of a character that can be seen, measured, or appraised. In general the evidence of so-called guilt consisted, and consisted solely, in proof that the person indicted had said in good faith something that he honestly believed. The jury's attention was not directed to any problem of ascertaining responsibility for *consequences which had actually occurred in the world of objective reality.* No such consequences had occurred. Juries were told that they could infer the injury from their opinions of the tendency of what the accused person had said! The opinions before them for consideration were always, of course, opinions which the prevailing propaganda for "mobilizing the mind of America" had made it not only unprofitable but socially dangerous for anyone to espouse.

In a great many cases, perhaps in most, the criminal idea was basically identical with an idea which President Wilson himself has since the war publicly expressed; viz.,

> Why, my fellow-citizens, is there any man here, or woman, who does not know that the seed of war in the modern world is industrial and commercial rivalry? This war was a commercial and industrial war. It was not a political war.—[Speech at St. Louis, Sept. 5, 1919.]

To say that verdicts of guilty resting upon such evidence were based upon guess-work rather than upon proof is to pay them an undeserved compliment. The verdict was not even a guess—it was an act of faith—an assertion of patriotic orthodoxy on the part of the individual jurymen. Such administration of the Espionage Act abridged the right to express certain legitimate opinions just as effectually as if Congress had candidly proscribed the theory that the war was commercial and industrial. The Supreme Court, however, held that no question of free speech was involved, since it was not opinions which the act proscribed, but such harm as obstruction of the recruiting service; further, that visible and tangible harm and causal responsibility for it need not be proved, the question in each case being

> whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.—[Schenck v. U. S. 249 U. S. 47, Debs v. U. S. 249 U. S. 211.]

Thus the Supreme Court reestablished a form of constructive crime of exactly the same species as the old English crimes of seditious libel and constructive treason which the framers of the First Amendment had meant to make forever alien to the United States.

* This is not the case with some of the amendments of 1918—as to which the Department of Justice has not sought an adjudication and the appellate courts have avoided expressing themselves.

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There have been uncertainly pending in Congress a number of bills designed to continue in peace time the work done by the Espionage Act in time of war. Following the precedent of draftsmanship set by the Espionage Act, they do not frankly prohibit communication of theories of social change. Most of them purport only to punish advocacy of force and violence, or "unlawful means." But persons who advocate force and violence, and so forth, in express terms are of course altogether too hard to find. When such bills become law the question actually put up to courts and juries, is whether extremist doctrines do not in themselves imply advocacy of force and violence. It has been said that

a jury of a man's peers in a free speech case means a jury of one hundred per cent Americans who are also one hundred per cent conservative and one hundred per cent ignorant of the most elementary theories of socialism, industrial unionism, the labor movement, and social betterment in general. The very ideals of socialism and communism in their most pacifist forms shock an average jury to such an extent that they mistake the shock itself for force and violence.

State and municipal legislatures have quite generally enacted so-called anti-sabotage, red flag, criminal syndicalism, and criminal anarchy laws of the federal type. Twenty-nine States now have such laws. The parent of most of these State laws is the New York statute [Penal Code, Sec. 160] under which "Criminal Anarchy" is defined as

The doctrine that organized government should be overthrown by force or violence, or by assassination of the executive head or of any of the executive officials of government, or by any unlawful means.

One of the most astonishing of these laws is probably the Connecticut statute [Chap. 191, of 1919] providing that

No person shall, in public, or before any assemblage of ten or more persons, advocate in any language any measures, doctrine, proposal or propaganda intended to injuriously affect the Government of the United States or the State of Connecticut.

Under this statute an ex-soldier, Joseph Yenowsky by name, was convicted and sentenced to six months in prison upon the complaint of a bond salesman whose bonds he had declined to buy and who alleged that Yenowsky had said that Lenin was "the most brainiest man in the world."

Typical definitions of "Criminal Syndicalism" and "Sabotage" are those contained in the California statute [Chap. 188, Laws of 1919]:

The term "criminal syndicalism" as used in this act is hereby defined as any doctrine or precept advocating, teaching, or aiding and abetting the commission of crime, sabotage [which word is hereby defined as meaning wilful and malicious physical damage or injury to physical property], or unlawful acts of force and violence or unlawful methods of terrorism as a means of accomplishing a change in industrial ownership or control or effecting any political change.

A typical red flag law [Minnesota, Chap. 46, Laws of 1919] is as follows:

1. It shall be unlawful for any person to display within the State of Minnesota any red flag or black flag, provided, however, that the provisions of this act shall not prohibit the use of a red flag by any employee of a railroad company as a signal, or the display of a red flag on a public highway as a warning of obstruction.

2. It shall be unlawful for any person to have in his possession, custody, or control any red or black flag, or any picture or facsimile thereof, whether printed, painted, stamped, carved or engraved on any card, paper or insignia, with intent to display the same in Minnesota. The possession, or having the same in possession or custody, of any such flag or picture or facsimile thereof, as above prohibited, by any person, shall be deemed evidence of an intent on the part of the person so having the same in possession, custody, or control, to display the same within the State of Minnesota.

3. It shall be unlawful for any person to display any flag or banner, ensign or sign, having upon it any inscription antagonistic to the existing Government of the United States or the State of Minnesota.

The latest and perhaps the most complete product of the sedition hunters is the anti-syndicalist and sedition law adopted by the Kentucky legislature and signed by Governor Morrow on March 26, 1920. It contains provisions customary in sedition legislation, penalizing by twenty-one years in prison membership in organizations which advocate sedition or criminal syndicalism as defined in the act and prohibiting advocacy by speech, printing, or writing of the forbidden doctrines. It declares any assembly where such doctrines are advocated to be unlawful and sets forth other customary legislative devices for dealing with heresy. It contains one or two provisions which are unusual, however, and one which is unique. Section eight provides that if the death of any person shall occur by reason of any violation of the act, the persons violating the act shall be guilty of murder and punished by death. In other words, if a riot occurs in which a person is killed and a jury can be persuaded that the riot was caused by a speech which is deemed to be seditious, the speaker will receive the death penalty.

Another section of the act makes it unlawful by speech, writing, or otherwise to arouse "discord or strife or ill feeling between classes of persons for the purpose of inducing public tumult or disorder. . . ." Section eleven makes it a crime for two or more persons to "agree, band, or confederate themselves together to do any of the things prohibited by this act . . .," and provides that in any prosecution it shall not be necessary to prove any overt act in order to secure a conviction.

Section six is unique. It follows in full:

Any peace officer who shall have notice or knowledge of any such unlawful assembly in violation of this act shall forthwith disperse the same, using the power of the county and such force as is reasonably necessary for that purpose, and if any such peace officer shall fail or refuse actively to disperse such assembly forthwith, he shall on conviction be fined one thousand dollars, and be imprisoned in the county jail thirty days, shall forfeit his office, and be disqualified from holding any public office for a period of five years.

In Kentucky it is thus hazardous to be a policeman as well as to hold radical views. The difference is that the one can get thirty days in prison if his zeal is not great enough and the other can get twenty-one years if his zeal is too great.

All of these laws conceal their bite under a somewhat inoffensive exterior. As an academic proposition, for example, a law forbidding advocacy of the overthrow of the Government by "unlawful means," would seem unobjectionable as it is unnecessary. Few people have sufficient imagination to see in advance of experience, what trials under such laws actually entail—viz., inquiry into the ideals and motives of persons of antagonistic points of view, and inference (or more frequently conjecture) as to whether "overthrow of government" by "unlawful means" is necessarily implied by such ideals and motives as may be deemed discerned. Prosecutions and convictions depend less upon the defendant's acts than upon the temperature and atmosphere of his community.

The conditions of climate which make for convictions under anti-syndicalism laws and the like, make also for

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police court persecution. In almost every city there are ordinances under which policemen and magistrates can, somewhat at discretion, send people to jail chiefly because they want to. The New York city charter, for instance, establishes a somewhat indefinite offense called "disorderly conduct." A magistrate can say that anything he deems it politic to condemn constitutes disorderly conduct, and the chance is good that his decision will stand on appeal. A conviction was lately upheld where a person arrested was found by the policeman to have a number of circulars in his possession; he admitted in answer to questions that he was on his way to a place where he intended to distribute them. The magistrate read the circular and did not like it. The man's own statement that he intended to distribute them was held to constitute disorderly conduct!

Similar use is made of ordinances prohibiting littering sidewalks or obstructing traffic. The baseball scoreboard of a newspaper may with impunity put a main thoroughfare out of commission for hours. A knot of listeners about a radical speaker, however, is held a serious obstruction.

From such abuses of law by persons charged with law enforcement the step is short to flagrant lawlessness. There are still, in 1920, maintained by official departments as well as by certain private agencies, so-called "check-lists" of persons believed to have minds of dangerous tendency. Mail is intercepted. Telephones are tapped. Persons arrested are subjected to indignity. The practice of seizing persons and property without any legal process at all or on warrants flagrantly illegal was hardly questioned until it was extended from persons concerned with the stimulation of thought to persons engaged in the manufacture of stimulants.

Cynical disregard by officials of the substance of law has led in many cases to neglect of even its forms. At the same time, however, inquisitorial agencies have procured legislation giving color of legality to unconstitutional practices. In New York, for example, under a statute ironically styled "The Peace and Safety Act," the Attorney-General of the State may in his discretion appoint and determine the duties of "such deputies as he deems necessary." "Peace and Safety" agents are empowered to examine, without ground or reason, on their own subpoenas, *any* witnesses and *any* books and papers, anywhere in the State, that they may select. Any witness who shall disclose outside anything elicited from him in the Star Chamber is guilty of a misdemeanor!

Civil liberty is more important today than it was in the stagnant period when we had it because no one troubled to abridge it. The world is rising upon one of the periodic waves which carry it onward toward civilized adjustment for human welfare. The propulsive force is the awakened working class. That class is organizing its power. It is formulating its purposes. It matters greatly to civilization that its purposes should be intelligent and its power sanely guided—that aspiration rather than resentment should be its motive—that its struggle should be toward a goal rather than against an enemy. Mitchell Palmers and Lusk Committees and sedition trials create nothing but enmity and resentment. Devotion to human welfare is not so common that we can afford to put it in jail, even when it is misguided. It is dangerous to inflict martyrdom upon brave and farseeing men of high motives. It is still more dangerous to confer the dignity of martyrdom upon the short-sighted and the immature. We need an end to choking thoughts and their communication.

The Plot for Reaction in Italy

By GIUSEPPE PREZZOLINI

RUMORS of an impending counter-revolution are rife in the political circles of Rome. Serious talk is current of a change in the Government, even in the dynasty itself, quite apart from the general revolutionary chatter. The discussion is both too widespread and too much heard in high places not to be deeply significant. The press has seized on these rumors, embroidering them to suit the color of the particular paper—the Socialist organs to denounce reaction and promise resistance to the bitter end; the Nationalist papers to appeal for "order at any price"; the Giolittian dailies to smooth the public fur the right way and say, "Don't worry. The 'old man' who got us out of the mess with the iron workers is still on the job."

No specific statements have been made as to the probable direction the contemplated coup is to take. Some people say that a greater show of firmness on the part of the Government would carry Italy past the crisis. Others openly appeal to those patriotic forces which saved the country after Caporetto, declare their lack of faith in the present parliamentary system, and insist that all the men hitherto associated with Italian politics be scrapped as so much worthless junk. Not to mince words, the jingo group is urging a military dictatorship, pure and simple.

What has happened, in the six weeks since the Government surrender to the iron workers, to bring the apparently effete Italian bourgeoisie to life? A number of political and economic factors are working to produce an entirely unprecedented brand of discontent. Minister Sforza has concluded a compromise agreement with the Jugoslavs on the basis of a concession of Dalmatia (with the exception of Zara) to Jugoslavia in exchange for a rectification of the Istrian and Giulian frontiers beyond the "Wilson Line." Such a compromise is distasteful to various small but influential groups: the Irredentists, the Nationalists, the Dante Alighieri Society, D'Annunzio and his friends.

Then, thousands of military officers, including generals and colonels, are angry at demobilization. They are losing not only their salaries but also their privileges, which include allowances for living expenses and mileage. Many military men, long in the public eye, find themselves obliged to seek civilian occupations. The task is not easy, as not a few have lost all aptitude for business and professional life.

The iron and steel manufacturers, too, notoriously close to the Nationalist movement, are enraged at workers' control in their factories. Iron and steel stocks have dropped heavily on exchange, and many plants, especially those not equipped to meet honest competition, face early closure.

Finally, shopkeepers, people living on unearned income, government employees, technicians, small business and professional men, teachers, have all been outraged by a series of protest strikes, interference with railway and street-car service through frequent rioting, bomb explosions, in short, by the generally prevalent acute living conditions. Moreover, the laboring classes have been flaunting their high salaries and, on the basis of class solidarity, insulting, maltreating, and generally harassing other people who ask only to live in peace.

This state of general discontent furnishes the opportunity for a number of political groups which came into being

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during the war on patriotic platforms and thoroughly understand the advantage attaching to armed organized minorities intent on seizing power. Such groups are described in Italian as "fasci" (coalitions), though neither the "interventionist coalitions" which in 1915 organized democratic and moderate Socialist forces against Italian neutrality, nor the "parliamentary coalition" which after Caporetto organized all the elements hostile to Giolitti and a separate peace any longer exist.

These "coalitions" undoubtedly served a purpose during the war. But they have never understood that, once the war was won, the important issue was peace and reconstruction. The mass of the Italian people was weary of fighting, anxious to return home, take up its interrupted labors, and see realized the promises just and unjust, cautious and imprudent, which the Government had made in the stress of the world conflict. The "fasci" did not understand that a new psychology, a new kind of politics, a new kind of political leadership were necessary in Italy. On the contrary, they worked to keep the country in a state of perpetual excitement, saying that Italy had lost the war unless Fiume, Istria, and Dalmatia were annexed, conducting a propaganda of hate against Italy's former Allies, and especially threatening new wars for a country profoundly shattered and generally determined not to have another conflict. "Coalitionism" then took a peculiarly dangerous turn because of the political groups composed chiefly of demobilized officers and "arditi." To such malcontents was due the expedition of D'Annunzio in Fiume and numerous armed attacks against the Socialists in Milan, Trieste, Pola, Lodi, and other cities.

The "arditi" were one of the most characteristic Italian inventions of the war—a select body of adventurers presenting all the traits most loved of Italians. They were "shock" troops, but their love of individual glory and their lust for combat were skilfully disciplined by a military ordinance which left them much liberty during periods of rest, but demanded complete sacrifice in battle. These troops, made up of young men enlisted without much regard for moral character, were not only fired by love of country: in their eyes war was primarily a great adventure. Among such people, after demobilization, "coalitionism" found willing recruits alike for the Fiume expedition and for the hoodlum city gangs, who broke up Socialist demonstrations and burned the plants of Socialist newspapers, such as the *Avanti* and the *Lavoratore*.

Naturally these groups could be nothing but tools. They had to have "men" behind them for their movement to acquire political importance in Italy. The persons who have been most identified with the movement which, for convenience merely, I am calling "coalitionism"—it could just as well be called "reactionism"—are the following: the King's uncle, the Duke of Aosta; General Giardino, former Minister of War; Benito Mussolini, editor of the *Popolo d'Italia*, and Gabriele D'Annunzio, patron saint of Fiume.

General (Senator) Giardino is a professional soldier, a staff officer, and commanded the Fourth Army, the immortal corps that held Monte Grappa against the Austrian avalanche and covered the retreat of General Di Robiland from Cadore. For a brief term, also, he was Minister of War. He is a soldier of the old style with old-fashioned ideas of army discipline, stern and iron fisted. Before the war, indeed, he quarreled with the journalist Borelli, an advocate of discipline through persuasion rather than of obedience through terror.

Benito Mussolini is a native of Romagna, a man of thirty-five, and self-educated. During the "red week" of 1914 he was an ardent revolutionary. At one time he lived in political exile in Switzerland with the recent editor of the *Avanti*, Menotti-Serrati; later, with the martyr Cesare Battisti, he edited the *Popolo* of Trent, then an Austrian city, and was driven out of that town. On his return to Italy he was drawn into the Socialist Party, and at the congress of Reggio [Emilia] in 1913 he secured the expulsion of Bissolati's faction from the party for its approval of the Turkish war. Thereupon he became editor of the *Avanti* and practically controlled the Socialist Party. At the beginning of the European War, however, he was so thoroughly convinced that Italy should fight Germany that he left the *Avanti* and the Socialist Party, founded the *Popolo d'Italia* and gathered around him all the elements in the democratic parties of the Left who wanted war. He changed his name, enlisted as a private, became a corporal, and was wounded in the very first days by a gun explosion. On leaving the hospital he returned to the *Popolo d'Italia* and wrote such nationalist and anti-socialist editorials that he fell under suspicion of acting for the iron and steel manufacturers and incurred the bitter hatred of his former Socialist friends whom he insults and accuses in every possible way.

Gabriele D'Annunzio is too well known to need description. He is now in Fiume, infatuated with a literary dream in which he sees himself as a great figure of the Renaissance drawn by Machiavelli—unscrupulous and fearless, yet mystical and religious—a dream that advances the idea that he is himself the predestined savior of a world oppressed by capitalistic powers. Thus only can some of D'Annunzio's political extravagances be explained with their culminating declaration of war against the Italian Government.

Lately the warnings of a coup d'etat have grown more numerous. The Duke of Aosta, who is proclaimed as a substitute for the present King, has broken his silence and made a speech at Milan. His allusion to the present state of affairs and his exaltation of Christian ideals have led people to believe that he was trying somehow to please the nationalist Left as well as the Catholics. Moreover, meetings of "coalitionists" are being held everywhere, and it is reported that many manufacturers have formed and armed "white guards." The editorials in the nationalist and "coalitionist" newspapers are more violent than ever.

There was a rumor that the movement would come to a head in Rome in November on the anniversary of the battle of Vittorio Veneto. It was said that the troops assembled from all parts of Italy for the great military review would not neglect the opportunity to arrest the principal ministers of state, seize the organs of national life, and proclaim a new military government. The ceremony, however, passed off without noteworthy disturbances. But talk of the reactionary plot is no less current. I can say with assurance only that the Government is quite aware of the movement and of the rumors that are openly circulating. Giolitti is in a position to know whether they are serious or mere talk. At any rate the Government has begun to give signs of energetic acts and life. It has put Malatesta in jail and made moves to suppress anarchist agitation. It is probable that Giolitti will, with his usual astuteness, succeed in carrying Italy quietly also through this crisis by a show of force against extremists on the Left.

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The Greek Situation: Two Views of Venizelos's Defeat

I. By A. TH. POLYZOIDES

That Mr. Venizelos met with a crushing defeat came as a surprise only to those one-sided students of the Greek question who for the past five years have preferred to follow rather their impulses and sympathies than the stern dictates of Grecian realities. Venizelos has always been more popular abroad than at home, and the war psychology of Europe and America is no less responsible for his popularization than for that of Clemenceau and Orlando, Wilson and Lloyd George. But whereas these statesmen owed their position to their own people, Venizelos was a creation of Anglo-French diplomacy and force, when, on June 11, 1917, Greek independence and Greek sovereignty went by the board under the dictates of Senator Jonnart and his Senegalese troops.

It is commonly said that the dethronement of King Constantine was the thing that turned the majority of the Greek people against Venizelos, and there is no doubt that the elimination from Greece of the most popular sovereign that ever ruled Hellas had a great deal to do with Venizelos's subsequent unpopularity. But those who study political events a little more deeply see in the dethronement of Constantine not so much the forced removal of a man as the taking away from a people of its constitutional liberties and its right of self-determination.

In order to strengthen his regime, Venizelos employed strong-arm tactics, and these were very keenly resented by a people as sensitive and as proud as the Greeks. In vain Venizelos tried to stem this rising current of popular discontent with his unrelenting efforts for the realization of the most daring dreams of Hellenism. The Greeks wanted a greater Greece, but at the same time they wanted an independent Greece, and Venizelos could not give both.

The issues that brought Venizelos to Athens in 1917 were soon to be forgotten under the acts of unprecedented absolutism perpetrated by his regime. A few weeks after the establishment of his dictatorship, Venizelos inaugurated the wholesale dismissals, deportations, banishments, and even shootings and imprisonments of his opponents. No less than 9,057 public officials, according to the figures of the *Official Gazette* of Greece, were dismissed outright by the Venizelos regime as soon as he was brought to power by Jonnart. And in a country numbering in 1917 not more than five million inhabitants, and having an army of only five corps, with 12,000 officers, it is worth noting that 3 lieutenant generals and 5 major generals, 95 colonels and 103 lieutenant colonels, 160 majors, 359 captains, 493 first lieutenants, and a number of minor officers were eliminated from the ranks of the army and demoted, deported, or imprisoned.

What happened in the army was repeated in the navy, and in nearly every other branch of the Government. One can readily imagine the ensuing demoralization.

At the same time a policy of graft and unprecedented waste of public money was inaugurated, resulting in the increase of the Greek national debt to no less than eight billion drachmas, which at the present rate of exchange is nearly equivalent to eight hundred million dollars, without figuring on the part of the Turkish debt which will be assumed by Greece in those territories that have passed under Greek control and which will bring the Greek national debt to more than twice the amount stated above.

And now Greece is herself again. With Venizelos crushingly defeated the Greek nation has no other desire than to return to normal and get to work for the consolidation of peace and prosperity in the Near East. Greece is not a very big country, but her influence is great throughout the Levant in behalf of peace and law, of order and constitutionalism. The country which has made a revolution at the ballot box is entitled to some consideration at this time, when revolutions are usually of another more dangerous and more risky kind.

II. By DEMETRIOS MICHALAROS

Venizelos did a great service to his country when he forced King Constantine to abdicate, but little did he dream that this very fact would eventually lead to his own downfall.

Practically nine-tenths of the Greeks were pro-Ally, but not all of them approved of their King's expulsion through foreign Powers. To the people of the Peloponnesus, Central Greece, Thessaly, and even the Ionian Islands, Constantine was little short of a legendary hero. Their devotion to him was moreover accentuated by the fact that a large number of them had been comrades in arms with him in the campaign of 1912—a circumstance cleverly and successfully exploited by his agents in their fight against Venizelos.

The reactionaries immediately after Alexander's tragic death challenged the Liberal or Venizelist Party to define its position on the dynastic question. Relying on popular intelligence, Venizelos accepted the challenge. Addressing an Athenian audience, a few days before the elections, he informed his countrymen that a vote for the Liberal Party would be a vote against the King's return. This appeal failed to win the votes of the farmers in the old Greece, first, because of their belief in the monarchy, and, second, because with the stiffening of Mustapha Kemal's defense in Anatolia they looked forward to a long winter campaign in Asia. The only districts which indorsed the Venizelist ticket were Epirus, Thrace, Crete, and most of the islands of the Aegean. The army also remained loyal to Venizelos and in addition such intellectual centers as Athens in Attica, Patras in Achaia, Volos in Thessaly, Salonica in Macedonia went over to the Liberal Party, without however materially modifying the results, since the districts that contain the above cities chose anti-Venizelist deputies. This alignment of the Greek voters indicates that the more broad-minded and progressive districts supported Venizelos.

Royalist interests profited immensely by the continuing absence of Venizelos from Athens. His friends, who ruled Greece while he was in Paris, injured Venizelos greatly by their profligate and riotous habits. Indeed, one of the outstanding weaknesses of Venizelism was that outside of the leader himself there was not a single big man in his administration. The personnel of the Rhallis Government, which has succeeded Venizelos, is of a well-known and tried character. Rhallis himself is an old, shrewd, but mediocre Athenian politician with moderate views. The real man behind Greek affairs today is Demetrios Gounaris, the brilliant orator from Patras, but as yet his intentions are unknown. He is anti-Ally and strongly attached to the monarchy.

As for the Greeks themselves, they will soon come to realize that it is not always good policy to vote down a great leader. Venizelos has ruled their country for approximately nine years. Ever since he was called to the premiership by the Goudi revolution of 1909, he labored superhumanly for the good of his country. He regained and increased the lost prestige of Greece, and reunited the scattered Hellenic race. He reorganized the various departments of the antiquated Greek Government and reconstructed its policies. Above all, he removed the Greek parliament from the malign influence of the old-type conservative leader and reorganized it on the basis of constructive legislation. At the same time, he organized a civil service on a merit basis and removed the courts from political control. He extirpated brigandage flourishing under the old political system and compelled the irresponsible mountaineers of Laconia to submit to authority and pay taxes.

In a word, he made Greece what it is today. Now he finds that a majority of his countrymen prefer Constantine to his leadership. He accepts the defeat in a spirit of magnanimity, and for the time being retires from the field. But in his retreat he still remains the greatest representative of his race and the hope of at least half of the Greeks of the world.

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Epigrams

By MAXWELL ANDERSON

Prohibition

It is useless to argue further on this matter, dear Chorion; let us have no more words, but drink. I heard a philosopher yesterday who said we are dust, and there is no Hades. Give me then the stone bottle, or I must fight for it in the name of all the gods; for when my brain steadies I am grown an unbeliever.

Graybeard Days

The cries of newsboys are monotonous from the street tonight trailing through open windows into the alcoves among the stacks of books. They call the wares of today, as the quiet bindings cry out for all the yesterdays. Choose what you will have, for indeed it is all one.

A Voice from the Loom

How many nights, how many days, O Earth, shall I be a shuttle shot across your meadows and through your hills weaving the pleasure of unknown destinies? But this question it is not given you to answer, nor even to tell me whether I may rest in the end beyond the clangor of trains and clatter of pavements. I would there were a god that I might pray a final recompense of quiet; to be buried on a high mountain, or under the sea.

At the Copy Desk

What is this you bring me typewritten and purporting to tell the marriage of Agathas and Demo? Silks and ices, and a wasteful throwing of polished rice—is this then the stuff of weddings? However, nobody will read it but the bridesmaids, and they know no better. To press with it, and in haste! Copy, boy, copy!

Evolution

Now that I am sunk under the sea, a tall and ancient city built of steel and stone, those within my walls are no longer men, but fishes, yet the change is well enough.

Shadow of Youth

When I was young I saw on the streets only young faces, faces of lovers and maidens; and now that I am old I see them only still. For we who walk so steadily weighed with years are but shadows of those lads we were upon a time, drunken with a great lack of birthdays.

The Bayonet

Do not struggle, dear friend, O do not try to rise. See, the shaft is broken sharp off in your breast; wait a little; lie still and wait for the surgeon while I put this water to your lips. O, dear friend, be quiet; your hands are bleeding from the edge.

Alone

You think that you are near me, little one—lying on my shoulder, comforted. But there is a gulf between us two, alas, and between all others, deeper and darker than the abyss that holds the evening from the morning star.

Civilization

It is hardly to be believed that men would fight so fiercely for a king or goods or for the love of fighting. Look closely at them; they are madmen, and the fools have bound the sane.

Compost

As I searched my mind for words that might epitomize these daily papers—yellow, crawling, foul with filth—surely it was fortune put in my way the advertisement of an honest man in a needed trade: Manure delivered by car or wagon load; we pay for garbage.

Erinne

It was my misfortune that a king should love me, but as for me, I loved Nicanor only. Looped purple hung about the bed of Creon, the tyrant, and I slept a prisoner; but if you are by any chance a person of this city, do not slur my son who reigns, for I was truer than my desire. And now is Nicanor dust, and Creon; yes, I the first Erinne of Thebes sleep in quiet, and all others likewise, courtiers and slaves, who shared love in our morning.

In the Driftway

THE South has lost one of its foremost women by the death of Mrs. Desha Breckinridge of Lexington, Kentucky. A great grand-daughter of Henry Clay, she inherited a rare mind and a gift of oratory all the more compelling since the eloquent words that fell from her lips came from a woman of slight physique bearing too often the traces of illness upon her countenance. The Drifter remembers well one occasion upon which she welcomed a group of Northern visitors, bent on an educational survey of the South, because it was one of those few occasions that he can recall when auditors have really been moved to tears by the appeal of a speaker. No heart could fail to vibrate to those moving words. Every good cause Mrs. Breckinridge made her own. She was literally a pioneer, for she began when but a girl to lead in reform movements, at a time in which it was considered very daring and highly unconventional for a woman to appear in public in the South. She was one of the first to plead for woman suffrage in Kentucky, at the risk of social ostracism. For the colored people, for the unfortunates of the streets and the jails, for the lowly everywhere, she pleaded—always earnestly, always convincingly, always with an intellectual power to compel profound respect, and always with constructive suggestions to advance. Only last spring she was one of the notable American figures at the International Woman's Conference in Geneva, and now far, far too soon, her gallant and winsome personality disappears—just when so many a brave fight is but just begun with so few to bear the brunt.

Contributors to This Issue

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DEMETRIOS MICHALAROS is a Greek journalist and author of "Coercion vs. Nationality in Turkey."

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Correspondence

The French Menace to Europe

TO THE EDITOR OF THE NATION:

SIR: In *The Nation* of November 3 you suggest that the Entente might be revived if England undertook to help Germany to economic restoration and thus enable her to meet her obligations to France. I wish I could think that you are right, but the facts do not support your view. One of the reproaches against us in France is that we have already given some help to Germany. Although funds are being raised by subscription all over England to assist in the restoration of the French devastated region and many English towns have undertaken the whole cost of rebuilding a town in France, the French press abstains from ever mentioning this effort, but attacks us for raising funds to relieve some of the misery in Germany and Austria. The Treaty of Versailles permitted the Allied Governments to confiscate the private property of Germans in their respective territories in the event of Germany not keeping her engagements. Finding that this provision made trade with Germany impossible, the British Government has used the power given it by the Treaty to renounce it. For this it has been violently assailed by the greater part of the French press and accused of betraying France, although, unless trade with Germany is made possible, Germany can never pay any indemnity.

Germany is flouting none of her treaty obligations. She is regularly delivering the enormous quantity of coal demanded by France under the treaty, although it is more than France really needs and much more than Germany can spare without crippling her own industries. France is now demanding from Germany several hundred thousand milch cows, although milk is so scarce in Germany that only children under three and invalids can be allowed to have any. France persistently refuses to allow the amount of the German indemnity to be fixed, although it is manifest that, if the German people have an indefinite obligation hanging over them perpetually, they will be reduced to despair. No people will work if it knows that anything that it makes will at once be seized by a foreign power. The reason for the refusal to fix the indemnity is that the French people has been deluded by its Government into the belief that Germany would pay the whole cost of the war, and the Government dares not formally admit that it has deceived the people. By leaving the amount of the indemnity indeterminate, it is able to go on declaring that the whole cost of the war will ultimately be paid by Germany.

The truth is that the French still want two incompatible things: the economic and political destruction of Germany and a huge indemnity. They will not yet admit that they must choose between vengeance and an indemnity and cannot have both. I have not spared the British Government, whose share of the blame for the present appalling situation of Europe was not minimized in my article in *The Nation* of November 3. But in my opinion, while the British Government should renounce its own imperialism, it should oppose French policy far more firmly and consistently than it has done hitherto. For France has, alas! become a greater danger to Europe than Germany ever was. The interview with Marshal Foch published in the *Matin* of November 8 shows what we are up against. Even M. Clemenceau's Carthaginian peace was not sufficiently Carthaginian for Marshal Foch, who wants to extend the "military frontier" of France to the Rhine. This is the old policy of M. Poincaré: the "neutralization" of all the German territory on the left bank of the Rhine, with French garrisons on the frontier between it and Germany. It is for this that the French Government still keeps 827,000 men under arms and proposes to spend eleven billion francs next year on its army and navy. Whatever fears France may have for the future—and it need have had none had the peace been a just one—no sane person can pretend that France is now in danger from Germany or any other quarter and, if Marshal Foch insists on an active army of 800,000 men and a military service of two years, it can only be because he has aggressive designs. There is only too much reason to believe that Belgium has agreed to support those designs—which include the occupation of the Ruhr Valley—in return for French support to Belgian designs on Holland. Naturally, the French and Belgian Governments refuse to communicate their secret treaty to the League of Nations.

All my life I have loved and admired republican and revolutionary France, but that France is no more, although I still hope that she will one day rise again. The France of today is a militarist and imperialist Power and—what is the most disquieting circumstance—this is a return to the old French tradition. For, although people are apt to forget it, France has been throughout a great part of her history the most aggressive Power in Europe. What we are witnessing is the effect of victory on a naturally war-like people.

London, November 9 ROBERT DELL

"Sorrowful Maidenhood"

TO THE EDITOR OF THE NATION:

SIR: Readers of Dr. Knopf's article, Birth Control and the World Crisis, in *The Nation*, November 24, will appreciate the helpful spirit manifested therein, and also will agree with the point so forcibly made that "we must devote our energies not toward a numerically greater but toward a qualitatively better humanity." However, one is led to wonder whether Dr. Knopf's long residence in a pathological field has not obscured vistas of more normal and wholesome regions.

The advocates of birth control through contraceptive knowledge are like any makeshift first aid social rescuers whose methods should be superseded as promptly as possible by others more in accord with the needs of an improving community. For two vicious assumptions underlie their scheme in such a way as to make it mechanical and empiric and hence unscientific as well as anti-social. The first is the assumption that men either cannot or need not control themselves sexually. So long as this is generally taught the human race is doomed to remain in the condition to which it has fallen—a condition which finds rebuke in the ways of the wild beasts of the woods and the birds of the air.

The second assumption is a fitting complement of the first; it is the very old one that marriage must mean for a woman the surrender of every right to her person. The "obedience" prescribed by the church and the "service" declared by the law are understood to be absolute. Naturally, this ancient understanding of marriage does not harmonize with the recent discovery that women—in spite of being females—are primarily human creatures with the same desires for freedom and self-direction, the same ranges in tastes and abilities and ambitions that men have. Very many of our finest women are now declining to marry. The opportunities for economic independence, as well as for doing what one wants to do, form an attracting force which largely accounts for this decision; but more and more a repelling force is found to exist in marriage itself. Any student of sociological evolution can hardly doubt that marriage must submit to fundamental changes; it must, indeed, come to this: that a woman shall be as free—and as safe—after marriage as before. This vast readjustment will doubtless involve her economic independence. To be dependent is to be helpless.

Meanwhile, that "withering away in sorrowful maidenhood" is merely the dream of one who imagines the world returned to 1620 or, at least, to 1850. Multitudes of intelligent self-reliant women today quite definitely resolve to go about other business than that bounded by the kitchen, the nursery, and the church. Anxiety as regards either their happiness or their usefulness is uncalled for; such anxiety rests on a premise as false as it is old.

Wellesley, Massachusetts, November 26 ELLEN HAYES

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Concerning Bigotry

TO THE EDITOR OF THE NATION:

SIR: I have just read with more than usual interest the article, Bigotry in the South, in the current issue of *The Nation*, in which Mr. Sweeney sets forth the uses to which Southern politicians are putting the intense religious animosities animating a large number of people. Permit me to say that, as a Catholic, I am not at all surprised at the turn events are taking in this connection, and I find it impossible to give more than scant sympathy to those other members of the faith who are finding themselves victims of religious persecution. To my mind the Knights of Columbus are as much responsible for the conditions complained of as are politicians and the unthinking mob.

For several years the Knights of Columbus have been sponsoring the lecture tours of one Peter W. Collins. Mr. Collins's special forte is calling for the heart's blood of those who disagree with him politically, especially the Bolshevists and Socialists of every shade of pink and red. His published interviews and speeches have uniformly been nothing more nor less than incitations to riot. Thus, witness the following from a published interview given by Mr. Collins several months ago in a western North Dakota city where I happened to be editing a newspaper at the time: "Socialists," says Mr. Collins, "should be so handled that in a few minutes they will be scurrying into holes and corners to hide, or SEEKING HOSPITALS TO HAVE THEIR WOUNDS DOCTORED."

What is this but inciting to violence and bloodshed? Thinking that possibly Mr. Collins had been misquoted by the paper publishing the interview, I called upon him editorially in my paper on the day of his arrival in our city to repudiate the interview in the rival paper, at least to the extent of denying that he advocated and urged violence.

In urging Mr. Collins to deny that he was a preacher of hate and an inciter to violence, I asked—editorially—what would he, and Catholics generally, think if our city should be visited by a speaker who urged that "*Catholics* should be so handled that in a few minutes they will be scurrying into holes and corners to hide, or SEEKING HOSPITALS TO HAVE THEIR WOUNDS DOCTORED"?

In my editorial I pointed out that if Catholics, sponsored by the Knights of Columbus, stamp around the country advocating violence and mob law, they will have no just cause of complaint if later on they find these preachments practiced upon themselves by religious bigots of other creeds. However, Mr. Collins did not, as far as I was ever able to learn, deny that the violent utterances attributed to him were authentic and correct. And if the Catholic clergy and laity permit the Knights of Columbus to continue sending irresponsible notoriety seekers of this type about the country stirring up hatred and mobbery, then the Catholic clergy and laity must blame the Knights of Columbus when they themselves become victims, at the hands of religious bigots, of the violent animosities their leaders are preaching against the Socialists.

Another gentleman who spends a goodly portion of his time breeding hatred is Bishop Wherle of the North Dakota Diocese, whose extreme dislike, not only for Socialists but for any progressive-minded citizens, often leads him to indiscreet utterances. It is such men as Mr. Collins and Bishop Wherle who, by their irresponsible utterances and actions, are laying the foundations upon which unscrupulous political demagogues are building the structure that we see arising in the South.

A contributing cause for the condition pointed out by Mr. Sweeney may possibly be the apparently close connection being established between the great Catholic secret society and the American Legion. The Knights of Columbus recently gave the Legion a large sum of money, according to press dispatches. The Legion has indulged in considerable mob violence during its brief career, which has convinced many persons all over the country that the Legion wants to run the country. Hence, when an unscrupulous politician points out to an audience that the huge gift of the Knights of Columbus to the Legion spells an alliance between the secret society and the ex-soldier organization, he has little difficulty in convincing hundreds of thousands that the ultimate purpose of this alliance is to give the country to the Pope.

Salt Lake City, Utah, November 25 G. J. KNAPP

Replying to Mr. Sherwood

TO THE EDITOR OF THE NATION:

SIR: In his letter published in *The Nation* of December 1 Mr. Robert Emmet Sherwood says that "the Irish question has hitherto been debated in nothing more dignified than street brawls," and that "it is high time that it [the Irish question] receive some intelligent, non-partisan consideration."

To intelligent and fair-minded Americans, I think, the question in dispute between Ireland and England is very plain. It resolves itself simply to this: the Irish people by an overwhelming majority in the general election of 1918 expressed their will in favor of an Irish Republic. Have they or have they not a right to determine the form of government under which they shall live? That is the Irish question in a nutshell—no amount of abusive language hurled at Sinn Fein or Terence MacSwiney can cloud or alter it. By what process of reasoning can any intelligent American, true to his own American principles, contest that claim of the Irish people to national self-determination? Will Mr. Sherwood give a plain answer to that question? We know how Robert Emmet would have answered it.

Frontenac, Minnesota, November 30 D. RONAYHE

An English Poet in America

TO THE EDITOR OF THE NATION:

SIR: As the only "very minor English poet" at present in America, may I be allowed to reply briefly to Mr. Samuel Roth's somewhat ill-natured letter to Mr. J. C. Squire published in your issue of today's date?

1. Why is Mr. Squire addressed? Does Mr. Roth suppose that the editor of the London *Mercury* is the head of the Society for Selecting English Poets for American Audiences? The fact is, of course, that a poet comes to the United States either because a lyceum bureau or his personal vanity have persuaded him that the country wishes to hear him. Nobody, however, is obliged to listen to him; it frequently happens that nobody does.

2. What is the truth about the English attitude toward American poets? The only case I can recall of serious neglect is that of my friend Edwin Arlington Robinson—a neglect probably mainly due to Mr. Robinson's extreme modesty. But Robert Frost was published in England and gained a reputation there before America knew of him. T. S. Eliot and Ezra Pound have won wider recognition in England than in their own land, and Edna St. Vincent Millay's verse play was produced by the London Poetry Book Shop, though it never found a publisher in New York.

3. If Mr. Roth knows what certain recent poetical visitors think of Americans in their hearts he must add divination to his other accomplishments. I have come across criticism (justifiable, I think) of certain "poetical visitors," but I have never come across an instance where the men in question had unfriendly remarks to make upon their return to England. The poetical visitors, whatever faults they may have, at least are very ready to help their American fellow-craftsmen. Robert Nichols, for example, introduced Vachel Lindsay to London with a flourish of trumpets, and (if you will pardon my egotism) only last week I sent a bundle of poems by a rising American writer with my recommendation to a leading English weekly review.

4. I understand that Mr. Roth is about to visit England. He has an extraordinary way of preparing for his visit. But as I have been so graciously received in his country, I cannot do less in return than wish him a more gracious welcome in my country than he deserves.

New York, November 10 THEODORE MAYNARD

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Books

A Great Lawyer

Arguments and Speeches of William Maxwell Evarts. The Macmillan Company. 3 vols.

IT is one of the penalties of the devotion of great ability to the practice of the law that signal success can obtain at most but a shadowy immortality. Reputation may survive, but the work on which it is based sinks into oblivion. Indeed, during the life of a leading lawyer only a few are able or care to appraise critically the merits of his achievement, except the clients who pay him and those members of the bench and bar who are thrown into immediate association with him. The railroad bridge is seen by all men, but the corporate mortgage which made the bridge possible is unintelligible and unread outside a small group. True, Webster and Hamilton produced legal arguments which merit the study of succeeding advocates, just as the pathologist follows step by step the researches of Pasteur, but it may be questioned whether any other American lawyer has attained an enduring influence through his professional work.

Surely if any third American could claim permanence for some of the actual products of his career at the bar, it would be William Maxwell Evarts. We have had few greater lawyers, and no lawyer since the Civil War whose professional career has made him such a commanding figure. One reason for this is the refusal of many of the ablest lawyers of our time to enter a courtroom, but advocates are not lacking, and indeed the position of Mr. Root and Mr. Hughes today has some likeness to that of Evarts. But their reputation is in part due to their distinguished services in office, while his was based on professional work alone. His terms as Attorney General, Secretary of State, and Senator were too short or too late in life to contribute to his fame. Evarts was fortunate above present advocates in the great controversies which called for the conspicuous employment of legal ability. The liberation of slaves who had been brought by their owner into a free State, was his first notable case. He helped establish the legality of the blockade of the South and the power of the government to make paper money legal tender. He defended one President of the United States from impeachment and won the contested election for another. His reputation became international through his brilliant attack in the "Springbok" case upon the doctrine of continuous voyage. How amused he would have been to find that in 1914 the British turned against us the convenient theory that a cargo bound for the West Indies could be confiscated to prevent its ultimately reaching Texas! Another even more famous international controversy in which he took part was the arbitration of the "Alabama" claims. And if any households in the United States were ignorant of these great cases, at least they knew of the scandal about America's most eloquent preacher, who turned to Evarts for his defense.

And yet how much of the spoken words of this great lawyer when transferred to the printed page can hold the reader of today? The "Springbok" argument is said by our leading authority on international law to be as good an argument in a prize case as he has ever read. The defense of Andrew Johnson was equally worth reprinting. As to the rest of the three volumes there is much room for doubt. It is certainly to be regretted that the editor (Mr. Sherman Evarts) did not include the Disputed Presidential Election in the present first volume and publish this as a separate book, whose contents would have a wider appeal than the orations which occupy nearly a volume and a half. The 250 pages of argument in the Tilton-Beecher suit should also have been set apart with the orations. Was it worth while to drag this dusty gossip into the glare of the twentieth century? The student of the probative force of judicial evidence might be interested to examine anew the testimony and arguments on both sides and determine for himself the issue of guilt or innocence as an exercise in forensic logic, but this lengthy presentation of one side serves only to leave the reader with the uncomfortable suspicion that an innocent man would not have required so much defending.

The most valuable part of the three volumes is the argument for Andrew Johnson. Evarts was probably not the most effective of the President's counsel, but he disposes of the charges with a thoroughness that makes one wonder how the impeachment could have come within a single vote of success. He worked indefatigably, excusing himself for his seven days' labor on the ground that if an ass falls into a pit it is lawful to pull him out on the Sabbath Day. His dignified conduct of the case contrasted sharply with the Old Bailey style of Ben Butler, whose method of legal success was to rattle the opposing counsel at the beginning of a day in court by remarking that his face showed signs of an incurable disease. Indeed, all of Evarts' arguments, except for an occasional lapse into humor of doubtful taste, have the grand style. Sometimes he must have been over the heads of his juries, unless they read more than those of today. Our modern colloquial presentation may be necessary, but there is a loss.

Many of Evarts's arguments in behalf of the hot-headed agitator in the White House come home with new force in this day of unhonored agitation. "It is a novelty," he says, "to try anybody for making a speech." He did not live to see Debs in Atlanta. If he had read the recent official statement that there is no censorship in Haiti, but only a prohibition against inflammatory utterances, Evarts might quote again Cromwell's words to the Irish town which offered to surrender if guaranteed freedom of conscience: "As to freedom of conscience, I meddle with no man's conscience; but if you mean by that liberty to celebrate the mass, I would have you understand that in no place where the power of the Parliament of England prevails shall that be permitted." Once more he might remind us how Cardinal Wolsey said that in political times you could get a jury to say that Abel killed Cain. He attacks the Federal conspiracy statute, still in force, as "a law wholly improper in time of peace, for, in the extravagance of its comprehension, it may include much more than should be made criminal except in times of obvious danger." He did not foresee that a successor as Attorney General would call this statute so inadequate as to require a far more drastic law against sedition. And would Evarts turn to the Chief Justice of the Court which upheld the conviction of Abrams and the distributors of "The Price We Pay," and say as he said to Salmon P. Chase: "It is as the guardian of the bill of rights of the Constitution, as the watchful protector of the liberties of the people against the encroachments of law and government, that the people of the United States look to the Supreme Court with the greatest attention and with the greatest affection"?

ZECHARIAH CHAFEE, JR.

Patterns

Americans All. Stories of American Life of Today. Edited by Benjamin A. Heydrick. Harcourt, Brace and Howe.

Spendthrift Town. By Henry Hudson, 2nd. Houghton Mifflin Company.

THE tyranny of the pattern in American fiction is well illustrated not only in Mr. Heydrick's anthology of fourteen stories but also by his naive editorial comments. He introduces a story by Miss Katherine Mayo concerning the Pennsylvania State Police with this simple-hearted remark: "Not all Americans are good Americans." That makes the situation clear. In France the tyranny of the pattern in the short story is single; among us it is two-fold. A moral and a technical pattern must coincide. Thus the stuff of reality is shredded and respun under the guidance of two naturally repellent principles which must, somehow, be made to harmonize. At times the weaving is neatly and accurately done, as in H. C. Bunner's

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The Tenor, where a tight and sophisticated little Maupassant pattern lends itself well to the pointing of a homely and not too explicit moral. In Miss Fanny Hurst's After the Big Store Closes, the moral pattern runs away with the quite good initial formula and the disharmony of the result is only a trifle less glaring than the unscrupulousness of the whole procedure. Even Mr. Brand Whitlock falls into the same error, and it is pathetic to see how a gifted but not supremely gifted man like Paul Lawrence Dunbar could do nothing but stamp his astonishingly fresh material into the same tin molds. The O. Henry story, A Pair of Lovers, is, of course, glitteringly mechanical and its obvious prestidigitation is visible in all the tales that follow. Only two stories in the volume, Myra Kelly's Just Kids and William Allen White's Society in Our Town, have grown instead of being made after a model. How vivid and fresh they remain while many later ones are as dingy as last year's magazines in which they first appeared!

The progress of American fiction, in other words, consists in its gradual liberation from the two tyrannous patterns, technical and moral—from the correspondence course and Sunday school doctrine of what a story or a novel ought to be. All art, it will be replied, has a pattern. That is true. But in sound art the pattern has had no existence antecedent to the creative process, but is a part of that process itself. The creative experience seeks a pattern that shall communicate it to the world. O. Henry invented his pattern first and then raked the Western Hemisphere for material to fit into it. The former method may be likened to the slow growth of a library that comes to express its owner's personal sense of literature and therefore of life, the latter to the plan whereby a busy upstart who has a new house and glossy shelves gathers "sets" with bindings to fit into his scheme of interior decoration.

Every fine artist in American fiction will be seen to have disregarded both the technical and moral pattern of the magazine tradition and to have developed one of his own. That being the one essential task of our novelists, anyone who attempts it in any considerable measure should be warmly encouraged. Such a one is the author who calls himself Henry Hudson, 2nd. "Spendthrift Town" does not start out very promisingly. The style is rough and halting; there is an elaborate picturing of New York, and good visualization is not this writer's strong point. The moment he takes us into the Nicholson household, however, we are at once amid thick and solid realities. It is interesting to compare the elder Nicholsons—Edward and Caroline and Kate—with the numerous similar characters from the same environment whom we meet in Mrs. Wharton's books. Mrs. Wharton writes infinitely better and she has her magnificent, laconic irony. But with a steely little inner deliberateness she always turns its edge aside from these particular gentlefolk. Henry Hudson is not cruel to the Nicholsons. He sees their purely human pathos. But no shadowy pieties restrain him. Hence the portrait of Edward, with his dull but magnificent façade and wonderfully human backyard, is extraordinarily convincing and rich in tone. Equally so is that of poor Kate, the repressed and tormented, who grasps late and foolishly after all that her gentility has forced her to forego. The portraits of the younger generation are blander. But Claire and Jamie are indeed shockingly taken in and then betrayed by their elders, especially by the terrible Edward. And there is also the cousin Helena who is done to the life, and there is—Orville. In portraying him the author has most bravely broken the conventional moral forms. Orville is the barefoot boy who has come to the city and made millions. He founds neither schools nor museums nor sighs for the simple life. He is satiated and voracious at once, restless and hard. Mallette, the Englishman, is a creature from another world of the spirit and throws a soft but revealing light on these various New Yorkers. The story ends a little confusedly and Claire's purging hospital experience is a sop to the very forces the author is trying to escape. But the book, as a whole, has solid merit and abundant promise and should not be overlooked by readers who care for good work of native origin.

For the Giddy-Free

All Things are Possible. By Leo Shestov. Translated by S. S. Koteliansky. With a Foreword by D. H. Lawrence. Robert M. McBride and Company.

Youth and Egolatry. By Pío Baroja. With an Introduction by H. L. Mencken. Alfred A. Knopf.

"ALL Things are Possible" is mainly occupied with getting away from the possibility of Europe in Russia. Shestov is first of all against words, against the rhetoric of Europe. Great revelations, he says, come into the world naked. The majority of books are poison, and a great many authors not bad hangmen. Metaphysics is the great art of swerving round dangerous experience, which is what that pretty word idealism means. Socrates's head, as we know, could stand any quantity of wine, but went spinning with the most commonplace idealistic lie. And when Xanthippe poured slops on Socrates as he returned from his discussions, it was no bad symbol: "after one's philosophic exercises one feels as if one had had slops emptied over one's head."

The real title of the book is "The Apotheosis of Groundlessness," and the central idea is that there is no central idea. The first and essential condition of life is lawlessness. Laws are a refreshing sleep, lawlessness is creative activity. The one positive ideal is that the human soul believe in itself and in itself alone. And all this will have to pass for a philosophy. Shestov intends to follow it. You may take it or leave it. He does not ask you to follow him, for he remembers too well those signboards in the higher Alps: Only for the Giddy-Free—for such as have steady heads.

But whether we sleep in law or create without it, Shestov's final chapter, on The Russian Spirit, is a mine of suggestion.

The distinguishing traits of Russian art, as everyone will admit, Shestov says, are simplicity, truthfulness, and a complete lack of rhetorical ornament. European thinkers have beaten their brains over insoluble problems. Russians have just begun to try their powers. They have no failures behind them. The most skeptical Russian hides a hope at the bottom of his soul; hence his fearlessness of the truth, realistic truth, that stunned European critics. Realism as a theory was invented in the West. But in the West were invented also numbers of other palliating theories, the "être suprême," Hegel's absolute, Kant's postulates, English utilitarianism, and hundreds of sociological and philosophic theories with which to serve up life, or reality, with the sting taken out of them. The Russian paints life as he sees it. And if he is asked how he can accept such a life, he answers: "I do not accept life."

Which is nearer the truth, Shestov asks, East or West? Perhaps neither. Perhaps the very idea of ultimate truth is only the fruit of our limitation. The confident Russian truthfulness, the European rhetoric, come to pretty much the same in the end. Each is equally life. Only, this point must be made: the Russian finds unendurable the rhetoric which poses as truth and the truthfulness which would appear cultured.

"No vas á buscar tu vida?" is a question that Pío Baroja in his own way also asks. Liberalism in so far as it destroys the past, enthralls him; constructive liberalism is ridiculous and valueless. Liberalism obliged to be aggressive is not yet exhausted; as an accomplished fact, it has no interest. Baroja states for his record that in all things he has always been a liberal-radical, an individualist, and an anarchist.

In "Youth and Egolatry" there is nothing so good as much of "Las horas solitarias" or the "Nuevo tablado de Arlequin." It was written, Baroja declares, as mental hygiene, to sun his vanity and egotism; and it is no more true perhaps than the photograph for which we dissemble when we sit down for the photographer. This book is made up of reminiscences, autobiography, politics, Madrid gossip, and sharp criticisms of literature, like his remark on Ruskin: "Ruskin impresses me as the Prince of Upstarts, grandiloquent and at the same time

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unctuous, a General in a Salvation Army of Art, or a monk who is a devotee of an esthetic doctrine which has been drawn up by a Congress of Tourists."

And very often Baroja shows that frank recognition of reality that gives to Latin minds a quality of pathetic, matter-of-fact resignation which Anglo-Saxons so often mistake for fatalism: as in the final chapter when he is speaking of himself nowadays: "I am a little melancholy now and a little rheumatic; it is time to take salicylates and to go out and work in the garden; a time for meditation and for long stories, for watching the flames as they fly upward under the chimney-piece upon the hearth. I commend myself to the event."

But while Shestov's doctrine of no doctrine at all is also Baroja's, there is less chaos and moody philosophy about the Spanish book. There is more of a recognizable daylight mind. Things are lived more in the open. Baroja is a Latin; lucid reasoning and clear patterns of thinking teach him to gauge and adapt life. He has a cynicism, a culture—always stubbornly denied for fear of being one of the polished frauds everywhere in the world—a clarity, a lack of sentiment, a disdain, and a kind of distinguished candor, that belong to an old, sane race in a land of the sun.

STARK YOUNG

Notes and News

THE plight of women traveling alone in South America may be, and often is, very uncomfortable, thanks to the Latin tradition which questions the propriety of such adventures. Miss Katherine S. Dreier, however, author of "Five Months in the Argentine: From a Woman's Point of View" (Frederic Fairchild Sherman), faced the discomforts of her journey from Valparaiso to Buenos Ayres and her sojourn there with an invincible sense of humor which is agreeably communicated to her narrative. She visited a great estancia (ranch) at Gualeguay and the Museum of Natural History at La Plata, and writes interestingly and sanely about the general strike of January, 1919, but her principal concern was to study the status and training of women, the care of children, the organization of charity, and the control of prostitution. On all such matters she furnishes a remarkable amount of valuable information. The women of the Argentine, she makes it clear, are not to be envied. Cramped by medieval decorums, shut in to the almost exclusive career of matrimony and maternity, denied education or at best neglected in such matters, they suffer as all women suffer under chivalric regimes. What pretends to be a compliment to their sex is in reality the result of suspicion and contempt; what pretends to make their lives soft and safe, does make them so—and dull and dusty.

THE year offers, besides Freud's "General Introduction to Psychoanalysis" (Boni and Liveright), which is reserved for a later and fuller review, various manuals and partial studies of the subject intended for the average reader. Barbara Low's "Psychoanalysis" (Harcourt, Brace and Howe) is a simple and on the whole a sound primer of the "science" as it now stands. Wilfred Lay's "Man's Unconscious Passion" (Dodd, Mead) is a clear, untechnical study of the behavior of the libido in certain of its unconscious phases. Isador H. Coriat's "Repressed Emotions" (Brentano's), along with the ordinary doctrine promised by the title, offers also a prolonged analysis of Goncharov's "Oblomov" and sketchy discussions of the role of repressed emotions in primitive society and in fairy tales. Sketchiness appears likewise in André Tridon's "Psychoanalysis and Behavior" (Knopf), an attempt to interpret human conduct from a psychoanalytic point of view. A rather useful aspect of the book is the chapter distinguishing the four schools of psychoanalysis headed respectively by Freud, Jung, Adler, and Kempf. Most sensible of all, on the whole, is Harvey O'Higgins's "The Secret Springs" (Harpers), presented as a series of talks with a certain Doctor X about the roots in the unconscious

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of various traits and actions of mankind which cannot be readily explained on any other grounds. Mr. O'Higgins is agreeably free of Freudian and sexual obsessions. More specialized is Walter Samuel Swisher's "Religion and the New Psychology" (Marshall Jones), which moves through all the regions of religious experience with the full equipment of Freudian phraseology and symbolism. That much is here done to illustrate the indubitable connection between the religious motives of mankind and other motives and faculties, is true; it is also true that the book by swallowing the Freudian system of sex symbols too uncritically makes itself a candidate for laughter in that day, sure to come, when the excesses of Freud will recall the excesses of Max Müller—and even of the medieval commentators on the Bible who found the Song of Songs an allegory of the love of Christ for his Church.

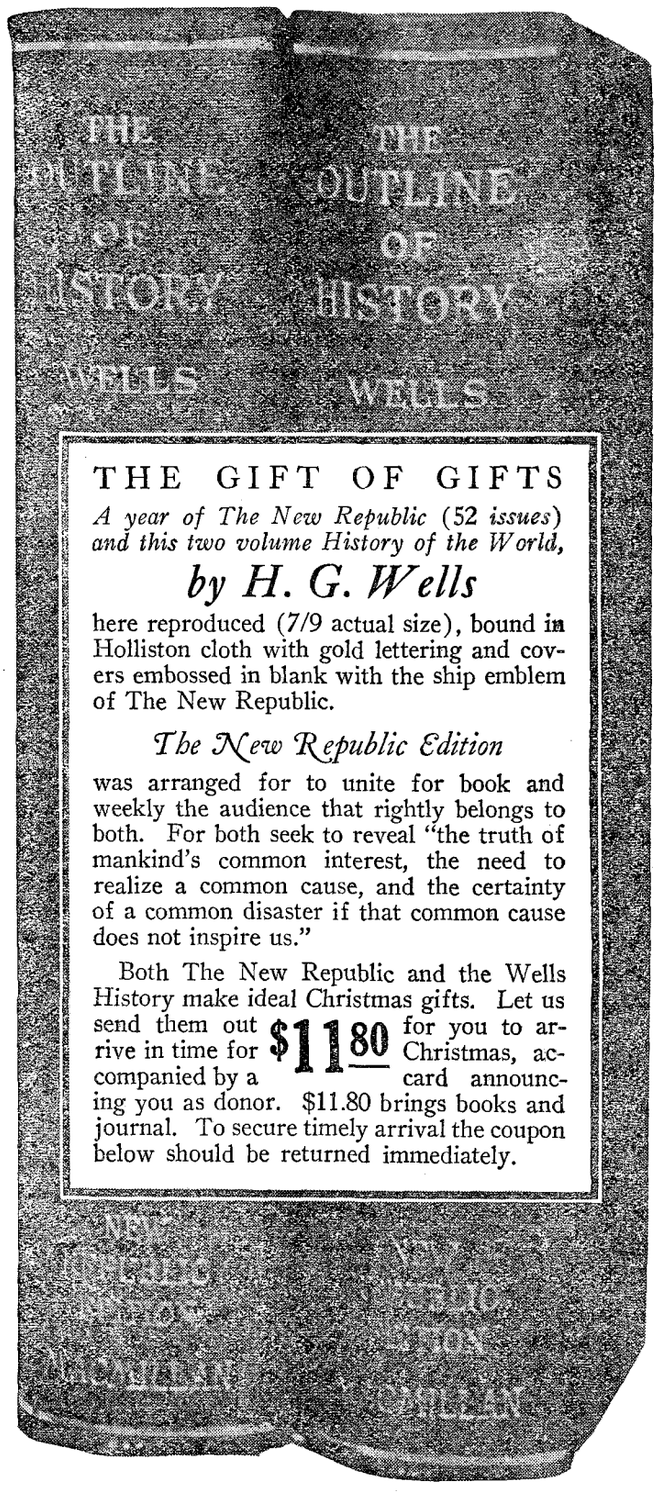
THREE recent works of erudition, though of detailed and special application, have also considerable general interest. In "Old and New" (Harvard University Press) C. H. Grandgent has brought together certain miscellaneous essays and addresses which, often thin as to argument, are at times rich in illustration, particularly in the discussions of American speech: Fashion and the Broad A, The Dog's Letter, New England Pronunciation. In "A Commentary upon Browning's The Ring and the Book" (Oxford University Press) A. K. Cook has furnished for the first time a minute, full comment upon the poem, almost always shrewd and sensible, and particularly noteworthy for its use of all the sources. Most remarkable of the three is the elaborate edition of Swift's "A Tale of a Tub" (Oxford University Press), edited by the late A. C. Guthkelch and completed by D. Nichol Smith. This amazing satire, with "The Battle of the Books" which is of course included with it, sums up as nothing else does the theological and literary controversies of Swift's youth, when the quarrel between the Ancients and the Moderns was at its height and, indeed, the modern world as we know it was coming into being on the ruins of the Renaissance and the Grand Siècle. With some superfluities of annotation, this edition of the book which later astonished Swift by its symptoms of genius is nevertheless admirable and indispensable for the scrupulous student of the times. And to the book-lover the bibliographical accuracy and the handsome form of the volume will be a continued delight.

Drama

Survey

IT is the height of the theatrical season. The skies look dour, Christmas trees are beginning to glimmer in the shop windows, the theater crowds on Broadway have a warm and burnished air which is apt to grow slightly dulled early in the new year. Great things sometimes happen in late winter or early spring and the theatrical industry knows no respite any more. But not again until next season will the perpetual scene of Broadway be quite so bright and busy. This is the acceptable time at which to survey the character of our living theater. What we see today is both typical and illuminating.

Tonight you can see forty-six theatrical entertainments in New York. Two more will open this week and the Neighborhood Playhouse is about to change its bill. One or two of the reigning forty-six may collapse or be driven to the lumber room by something of more gorgeous promise. Such changes and accidents will not greatly alter today's typical aspect. Amid the flux and hurry we can look at our forty-six in peace. Sixteen are musical comedies. You cannot characterize them individually. They are a solid and inextricable mass. Each consists of from twelve to twenty chorus girls in more or less provocative costumes, a foolish plot to which no one attends, inferior music indifferently sung, and bits of dancing that are often as lithe as lightening and as vivid as wine. But it is hard to waste long, garish, noisy evenings waiting for these bits. "Mecca," the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monster decorative piece, may be added to the musical comedies. Like the revival of "Florodora," it attempts the same thing on a Brobdingnagian scale. The spectacle dazzles but it does not delight. There are but three melodramas, and of these again but one, "The Bat," represents the mimic man hunt that, a season or two ago, threatened to take sole possession of our stage. A kindlier temper is evidently prevailing. Knoblock's "One" is melodrama melting into the frankly tearful, and in "Spanish Love" the "hissing hate and panting passion"—to quote from the unsmiling review of a distinguished contemporary—are, after all, decorative and remote.

There are eighteen comedies. A few have a dash of humorous observation and honest humanity. The greater number are furious farce or sticky sentiment. They vary from the hearty fun of "Three Live Ghosts" and the dainty whimsicality, always trembling on the edge of irony, of Miss Clare Kummer's "Rollo's Wild Oat" (Punch and Judy Theater) to the soggy and shameless mush of "Daddy Dumplings" (Republic Theater). "The Prince and the Pauper" stands alone as a charming thing for children; "Little Old New York" is conscious, at least, of an old world grace and glow which it does not achieve. Encouragement may, however, be drawn from the fact that the two soundest comic pieces are still that incredibly successful pair "Lightnin'" and "The Gold Diggers." The former has had an uninterrupted run of twenty-seven months at the Gaiety Theater, the latter one of fifteen months at the Lyceum. The philosopher and the austere artist will rightly avert his eyes from both. The humble observer of the American theater notes with satisfaction that Lightnin' Bill Jones, the character that makes the play, is clean from cant, undergoes no spurious moral transformation, and recalls that more honest, humorous, and virile phase of our national spirit that seems doomed to extinction by the Neo-Puritans. Such an observer notes further that, had Mr. Avery Hopwood but spared us the white-haired mother whom the chorus lady keeps, so to speak, up her sleeve as a substitute for realistic insight and action at critical moments, his comedy would have been neither unveracious in substance nor negligible in ironic tone. The chief parts in the two plays, moreover, as played by Mr. Frank Bacon and Miss Ina Claire, are models of exact, finished, and human comic acting.

Turning at last from the theater as entertainment to the theater as art, we find precisely eight plays. Two of these are American: "Enter Madame," by Miss Gilda Varesi and a collaborator, and "The Mirage," by Mr. Edgar Selwyn. The others are: "The Woman of Bronze," by the Frenchman, Henri Kistemaeckers, "The Mob" and "The Skin Game," by John Galsworthy; "Heartbreak House," by Bernard Shaw; "Thy Name is Woman," which is Karl Schönherr's "Der Weibsteufel" and therefore German; and "Samson and Delilah," by the Dane, Sven Lange. "Enter Madam" has no merit save a consciousness of good models; "The Mirage," none but its seeking the stuff of drama where so few American playwrights seek it—namely, in life rather than in the pages of Nick Carter or Laura Jean Libbey. "The Woman of Bronze" and "Samson and Delilah" are products of an entirely conventionalized dramaturgic method humanized and irradiated for us by the noble ripeness of Margaret Anglin's art and the haunting promise of Ben Ami's. Schönherr's concise and stringent little tragedy has been relaxed and rouged in the adaptation. The three British plays stand out in their splendid isolation as the works of authentic dramatic artists produced as they were written. Comparing New York to other theatrical centers, the names whose absence is as painful as it is conspicuous are those of Shakespeare, Molière, Ibsen, Hauptmann.

And yet, to come to the moral of this tale, the situation is extraordinarily hopeful. For each of these eight plays, in six of which the most difficult and fastidious judge would find some pleasure, are commercial successes in the brutal and immediate sense. They have been selected for their merits and they have "made good." Behind every recklessly popular entertainment, on the contrary, hover the ghosts of noisy and expensive failures. Sixty per cent of all "sure fire hits" collapse ignominiously within a month of their production. Art, in brief, actually pays better today than betting on public imbecility. And if Miss Anglin and Mr. Ben Ami can succeed in mediocre plays, may they not soon succeed in the great dramas of which these plays are shabby imitations? If a half-ruined tragedy by Schönherr can play to "constantly mounting box-office receipts," it may be that his unspoiled work would not be less effective. The remark is often heard on Forty-Second Street: "This play is so bad that it must succeed." There is no truth in it even on the lowest plane. Bad plays fail in greater proportion than good ones. To this fact the managers, in sheer self-interest, cannot long remain blind. We are near a turning point in the history of our theater when it has become more profitable to produce plays so good that they should not fail than plays so bad that they must succeed.

LUDWIG LEWISOHN

The Nation's Poetry Prize

THE NATION offers a Poetry Prize of $100 for the best poem submitted by an American poet in a contest to be conducted by *The Nation* between Thanksgiving and New Year's Day. The rules for the contest are as follows:

1. Each manuscript submitted in the contest must reach the office of *The Nation*, 20 Vesey Street, New York City, not earlier than Friday, November 26, and not later than Saturday, January 1, plainly marked, on the outside of the envelope, "For *The Nation's* Poetry Prize."

2. Manuscripts must be typewritten and must have the name of the author in full on each page of the manuscript submitted.

3. As no manuscript submitted in this contest will under any circumstances be returned to the author, it is unnecessary to inclose return postage. An acknowledgment of the receipt of *each manuscript, however, will be sent from this office.*

4. No more than three poems from the same author will be admitted to the contest.

5. No restriction is placed upon the subject or form of poems submitted, which may be in any meter or in free verse. It will be impossible, however, to consider poems which are more than 200 lines in length, or which are translations, or which are in any language other than English. Poems arranged in a definite sequence may, if the author so desires, be counted as a single poem.

6. The winning poem will be published in the Midwinter Literary Supplement of *The Nation*, to appear February 9, 1921.

7. Besides the winning poem, *The Nation* reserves the right to purchase any other poem submitted in the contest at its usual rates.

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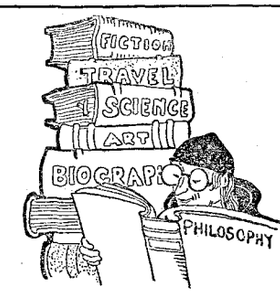

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International Relations Section

The Secret Treaty Dividing Turkey

THE text of the agreement between France, Italy, and Great Britain dividing a large part of Turkey into zones of special influence, which was signed secretly at Sèvres on the same day as the treaty with Turkey, August 10, 1920, and recently published, follows. The text is translated from the French version published by *L'Europe Nouvelle* (Paris) of November 14. It is generally assumed that the British zone of influence, not herein defined, includes at least all of Mesopotamia.

The British, French, and Italian Governments, represented respectively by the undersigned plenipotentiaries;

Desirous of aiding Turkey to develop its economic resources and of preventing the international rivalries which have in the past obstructed that development;

Desirous of satisfying the request of the Ottoman Government for the necessary aid in the task of reorganizing its judicial administration, its finances, its gendarmerie and police, and in the protection of religious, racial, or linguistic minorities, and in the economic development of the country;

Taking into consideration their recognition of the autonomy, or their eventual recognition of the independence of Kurdistan, and esteeming that, in order to facilitate the economic development of the country and to give it all the aid which its administration may need, it is desirable in such a matter to avoid rivalries between nations;

Recognizing the special interests of Italy in southern Anatolia, and those of France in Cilicia and in the western part of Kurdistan adjacent to Syria as far as Djezire-Ibn-Omar, as these regions are hereinafter defined,

Have agreed as follows:

ARTICLE 1. Between the contracting Powers there will be complete equality in Turkey in the composition of all international commissions already formed or to be formed, including the various subordinate services, which are charged with reorganizing or supervising, compatibly with the independence of the country, the various public services (judicial and financial administration, gendarmerie, and police) and with assuring the protection of racial, religious, or linguistic minorities.

However, if the Ottoman Government or the Government of Kurdistan should manifest a desire to obtain foreign support for the administration or local policing of the zones in which the special interests of France and Italy are respectively recognized, the contracting Powers agree not to contest the preferential right of the Power whose special interests in the zone are recognized, to give this support. This support should tend particularly to better the protection accorded racial, religious, or linguistic minorities in the aforesaid zones.

ARTICLE II. In accordance with the stipulations of the Treaty of Peace with Turkey, the nationals of the contracting Powers, their ships and their airships, as well as products and manufactured articles coming from or destined to the territories of the aforesaid Powers, or of their dominions, colonies, or protectorates, shall enjoy, in the zones where the special interests of one of the said Powers are recognized, absolute equality in everything which concerns commerce and navigation, and especially in regard to transit, customs, and such matters.

However, the contracting Powers agree not to address any request nor to formulate and support any request, in the name of their nationals with a view to obtaining commercial or industrial concessions in a zone where the special interests of one of the aforesaid Powers are recognized, unless that Power refuses or is unable to take advantage of its particular situation.

ARTICLE III. The contracting Powers agree to give each other their diplomatic support in maintaining their respective situations in the zones where their special interests are recognized.

ARTICLE IV. The Anatolian railroad, the Mersina-Tarsus-Adana railroad, and the part of the Bagdad railroad included in Ottoman territory as defined by the Treaty of Peace with Turkey, shall be exploited by a company the capital of which will be subscribed by British, French, and Italian financial groups in proportion to the interest which these groups had, on August 1, 1914, in the entire Bagdad line; the remainder of its capital will be divided equally among the British, French, and Italian groups.

However, in exchange for all or part of the interest held by French nationals on August 1, 1914, in the Bagdad railroad, the French Government reserves the right to have attributed to it and to exploit all or part of the railroad lines (including the Mersina-Tarsus-Adana railroad) lying within the zone where its special interests are recognized. In this case the participation of French nationals in the company referred to in the preceding paragraph will be reduced by an amount corresponding to the value of the lines thus attributed to the French Government. This right of the French Government should be exercised within twelve months of the date when the Treaty of Peace with Turkey becomes effective.

In the activities of the company formed in accordance with the first paragraph of the present Article, account will be taken of the special rights and interests attributed to the respective Governments in the zones defined by the present agreement, but in such fashion as not to affect harmfully the successful exploitation of the railroads.

The contracting Powers agree to help within the near future, unification of all the railroads within the territory remaining Ottoman, by forming a general company for the exploitation of these lines. The distribution of the capital of this new company will be fixed by an agreement between the interested groups.

The company formed in accordance with the first paragraph of this article, as well as any companies which may be formed for the purposes indicated in the fourth paragraph, will be bound to observe the provisions of Part XI (ports, waterways, and railways) of the Treaty of Peace with Turkey, and especially to assure absolute equality of treatment in railway rates for freight and passengers, whatever their nationality, destination, or origin. The French Government agrees, if it exercises the right stipulated in the second paragraph of this Article, to observe these same provisions as regards the part of the railroad which may be attributed to it.

ARTICLE V. In the present agreement,

1. The zone in which the special interests of France are recognized, is thus bounded:

On the south: by the Mediterranean Sea from the mouth of the River Dama Su in the Gulf of Alexandretta, to the point where the northern frontier of Syria, as described in the Treaty of Peace with Turkey, meets the sea; thence, toward the east, as far as the southeastern extremity of the bend of the Tigris, about six kilometers north of Azekh (27 kilometers west of Djezire-Ibn-Omar), by the northern frontier of Syria as described in the Treaty of Peace with Turkey;

On the east: thence, northward as far as the confluence of the Haso Su, directly south of Meleto Dagh, by the upstream course of the Haso Su; thence, directly northward to Meleto Dagh, by a straight line;

On the north: thence, northwestward to the point where the frontier between the vilayets of Diarbekr and of Bitlis meets the course of the Murad Su, by a line following the heights of Meleto Dagh, Antogh Dagh, Sir-i-Sir-Dagh, Chevtela Dagh; thence, westward as far as the confluence with the Kara Su (Euphrates) by the downstream course of the Murad Su; thence, northward to Pingen on the Kara Su by the upstream course of the Kara Su; thence northwestward to Habash Dagh, by a straight line; thence westward to Batmantash, by a line following the heights of Habash Dagh, Terfellu Dagh, Domanli Dagh;

On the west: thence, southward to Yenikhan, by a straight

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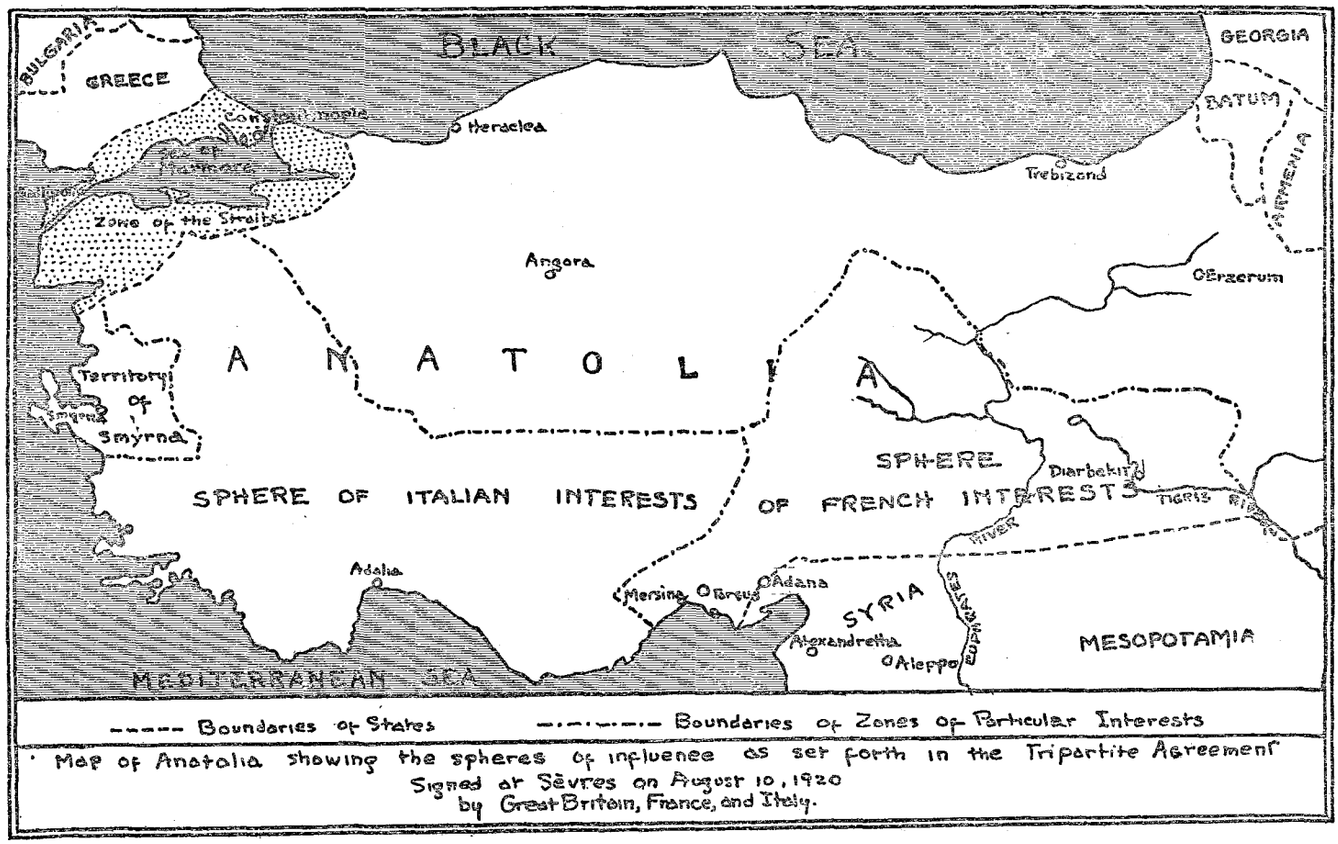

Map of Anatolia showing the spheres of influence as set forth in the Tripartite Agreement Signed at Sèvres on August 10, 1920 by Great Britain, France, and Italy.

line; thence, southwestward to Ak Dagh on the boundary between the vilayets of Sivas and of Angora, by a line reaching, then following, the crest of the Ak Dagh; thence, southward to a point exactly west of Seresek, by the boundary between the vilayets of Sivas and of Angora; thence, south-southwestward to Erdjias Dagh (the point where the limit of the zone of Italian interests hereinafter defined meets the western limit of the French zone), by a straight line; thence southwestward to Omarli, by a line following the heights of Erdjias Dagh, Develi Dagh, and Ala Dagh; thence southward to the confluence of the Tarbaz Chai with the river descending from Kara Geul, by a straight line; thence, southwestward to the bend five kilometers southwest of its mouth, by the upstream course of the river which descends from Kara Geul; thence, southwestward to Perchin Bel, by a straight line following the crest of the Bulgar Dagh; thence, southeastward to the source of the Lama Su, by a straight line; thence, to its mouth in the Gulf of Alexandretta, by the downstream course of the Lama Su.

2. The zone in which the special interests of Italy are recognized is included within the following limits:

On the east: from the mouth of the river Lama Su in the Gulf of Alexandretta to the Erdias Dagh, by the western limit of the special French interests above defined;

On the north: thence, westward to the railroad station of Akshahr, by a straight line modified to leave the railroad from Akshahr to Konia within the zone; thence, northwestward to Kutaya, by a line following the railroad from Akshahr to Kutaya, the railroad remaining outside the zone; thence, northwestward to Keshish Dagh, by a straight line; thence, westward to the most eastern point where the southern boundary of the Zone of the Straits meets the Abullionf Geul, by a straight line;

On the west: thence, in a general southward direction to the mouth of the river which falls into the Aegean Sea about five kilometers north of Skalanova, by the southern boundary of the Zone of the Straits, the northern, eastern, and southern boundaries of the territory of Smyrna as described in the Treaty of Peace with Turkey;

On the south: thence to the mouth of the river Lama Su on the Gulf of Alexandretta, by the Aegean Sea and the Mediterranean Sea.

ARTICLE VI. As regards territories detached from the former Ottoman Empire which have, by the terms of the Treaty of Peace with Turkey, become the object of a mandate, the mandatory Power shall enjoy, in relation to the other contracting Powers, the rights and privileges enjoyed in the zones described in Article V by the Powers whose special interests are recognized in those zones.

ARTICLE VII. All the concessions for the exploitation of the coal basin of Heraclea, and all the shipping and transportation facilities attached to these concessions, are reserved to the Italian Government, without affecting the rights of the same nature (concessions secured or asked) held by Allied or neutral nationals on October 30, 1918. The indemnification for rights of exploitation belonging to Ottoman nationals shall be made in agreement with the Ottoman Government, but at the expense of the Italian Government.

However, as soon as the Italian Government or Italian societies shall extract amounts of coal per annum equal to those extracted on January 1, 1920, by the societies belonging, on October 30, 1918, to Allied or neutral nationals, the Italian Government agrees, in a spirit of equity, to reserve to the Ottoman Society of Heraclea which has French capital (in case it shall not previously have expressed a desire to be bought out or renounced the renewal of its concession), a share of one quarter in the interests which will be constituted when the Italian Government or Italian societies have reached a production equal to that of the aforesaid Allied and neutral nationals on January 1, 1920.

The two Governments will give each other their diplomatic support to obtain from the Ottoman Government the promulgation of new regulations assuring the exploitation of the mining rights conceded, the establishment of means of transportation such as mining, railroads, and shipping facilities, as well as the eventual employment of other than Turkish labor, corresponding to the needs of modern exploitation. It is henceforth

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understood that all the benefits and advantages resulting from the application of these regulations will be granted on the same basis to all the concessions whether these be granted before or after the promulgation of the said regulations.

ARTICLE VIII. The French and Italian Governments will retire their troops from the respective zones in which their special interests are recognized when the contracting Powers agree that the Treaty of Peace has been executed, that the measures accepted by Turkey for the protection of minorities have been applied and their execution effectively guaranteed.

ARTICLE IX. Each of the contracting Powers whose special interests are recognized in a zone of the Ottoman territory shall thereby accept the responsibility for watching the execution of the Treaty of Peace with Turkey in regard to the stipulations for the protection of minorities in the aforesaid zone.

ARTICLE X. Nothing in the present agreement shall affect the right of nationals of third Powers to have free access for commercial and economic purposes into any of the zones described by Article V, under the reserve of the limitations contained in the Treaty of Peace with Turkey, or of those which the contracting Powers have voluntarily imposed upon themselves in the present agreement.

ARTICLE XI. The present agreement, which will be ratified, will be communicated to the Ottoman Government. It will be published and will become effective at the time that the Treaty of Peace with Turkey becomes effective with the three contracting Powers.

Sèvres, August 10, 1920

Labor's Plan for Egypt

IN view of the present negotiations for a settlement of the Egyptian question, resulting in the Memorandum printed in this issue, the following recommendations of the British Labor Party, issued by a committee of the International Section of the Labor Research Department, are of interest.

There are only two alternatives with regard to Egypt which labor can countenance: (1) That Egypt, by the consent of the Egyptian people, should enter the British Empire as a voluntary member, or (2) that in the probable event of the Egyptians refusing alternative (1), the termination of Turkish suzerainty should be in favor of the independence of Egypt, and not in favor of a British protectorate imposed on Egypt by treaty between Great Britain and Turkey without Egypt herself having any voice in the settlement. The protectorate proclaimed by the British Government in 1914 was a one-sided act, and has neither legal nor moral sanction, as it has been indorsed neither by the Turkish Government nor by the Egyptian people.

In the event of Egypt insisting on her independence, the following steps would be necessary:

I. Egypt to be recognized as an independent state by Great Britain (renouncing protectorate declared in 1914) and by Turkey (renouncing suzerainty regulated in 1873-9) and by the other signatory Powers (who will include nearly all, if not all, the Powers whose nationals possess privileges in Egypt under the capitulations).

II. The British garrison and British advisers to the Egyptian Government to be withdrawn, in fulfilment of repeated promises of the British Government. The term within which withdrawal is to be effected shall be laid down; the actual steps to be arranged between the British and Egyptian Governments, with appeal to the League of Nations in case of disagreement.

III. The legitimate interests and expectations of British advisers or officials in Egyptian service who, in consequence of the British withdrawal, may vacate their posts either by their own desire or at the desire of the Egyptian Government, to be compensated on terms to be settled by agreement between the British and Egyptian Governments; British subjects to be at liberty to remain in Egyptian service as private individuals, and not as servants of the British Government, if the Egyptian Government desires to retain their services and if they on their part are willing to render them on the Egyptian Government's conditions.

IV. Egypt to be eligible for membership in the League of Nations.

V. The foreign communities resident in Egypt and hitherto enjoying privileges under the capitulations to be placed under the protection of the Minorities Commission of the League of Nations, the capitulations (treaties between Turkey, the suzerain of Egypt, and the respective states of which the foreign residents in Egypt are nationals) being abrogated as far as Egypt is concerned. Both the economic privileges (e.g., abatements of taxation) and those relating to personal status (e.g., extra-territoriality as regards Egyptian courts) to be maintained in full, under the protection of the Minorities Commission of the League, for a term of years to be laid down in the Turkish treaty, at the end of which the whole question shall come up for review by the League.

VI. If, at the date referred to in the last sentence or at any time before it, either the Egyptian Government or the foreign residents in Egypt violate the arrangements in force, and the Minorities Commission of the League, which will be responsible for the maintenance of these arrangements, considers that they can only be maintained by intervention from outside, the League shall be bound to give the British Government the option of acting as its executor, while the British Government on its part, if it accepts the Commission, shall be bound to carry it out under conditions laid down beforehand by the League.

VII. The Suez Canal Zone and the Egyptian territories east of it shall be leased by Egypt to Great Britain for a term of years to be laid down. During this period the waterway shall be administered by the British Government under conditions to be defined in the Turkish treaty, and the British Government shall be accountable for the observance of these conditions to the League of Nations. At the end of the term, the question shall come up for review before the League, and the League shall decide whether the arrangement provided for above shall be continued for a further term, or whether the lease shall terminate. In the latter event, the territory and inhabitants of the zone shall come again under the direct sovereignty of the Egyptian Government, but the administration of the waterway shall be placed under an international commission enjoying powers similar to those of the Danube Commission and accountable to the League.

VIII. With regard to the Soudan, the Anglo-Egyptian Convention of 1899 to be superseded by a new convention under which the two governments respectively recognize the independence of the Soudan. A mandate in the Soudan under the authority of the League of Nations and under the supervision of the League's mandatory commission to be conferred on Great Britain, on specific conditions for a term of years. At the end of this period the question shall come up for review by the League, and the League shall decide whether the mandate shall be prolonged for a further term, or whether the Soudanese people shall forthwith be given an opportunity of choosing between self-government as a separate state or union with Egypt (under conditions to be agreed between the two countries).

IX. In view of the advantages which they have received, and may receive in the future, from the improvement of conditions in the Soudan as a result of the termination of the Mahdist regime, both the British and the Egyptian Governments shall renounce compensation for any out-of-pocket expenses they have incurred or may hereafter incur in the Soudan, subject to the following conditions:

(a) Egypt shall be exempt from further financial liabilities towards the Soudan from the moment the Anglo-Egyptian Convention of 1899 is superseded by a British mandate in the Soudan, unless and until, on the expiration of the British mandate, the Soudan elects to unite with Egypt.

(b) Great Britain shall be exempt from further financial lia-

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bilities towards the Soudan from the moment her mandate expires.

X. The navigation of the Nile and allocation of Nile water for irrigation to be regulated, for the period of the British mandate in the Soudan, by agreement between the British and Egyptian Governments with appeal to the arbitration of the League of Nations. In the event of the Soudan opting for separation from Egypt at the expiration of the British mandate, the Nile question, as between the Soudan and Egypt, shall be regulated by the League.

XI. The legitimate interests and expectations of Egyptian officials in Soudanese service who, in consequence of the termination of the Anglo-Egyptian Convention of 1899, may vacate their posts either by their own desire or by the desire of the mandatory or subsequently of the native Soudanese Government, to be compensated on terms to be settled by agreement between the Egyptian and the British (or subsequently the Soudanese) Governments; Egyptian subjects to be at liberty to remain in Soudanese service as private individuals, and not as servants of the Egyptian Government, if the mandatory or subsequently the native Soudanese Government desires to retain their services, and if they on their part are willing to render them on these governments' conditions.

The British-Egyptian Agreement

THE following text of the Memorandum which was the result of conversations held in London between the Milner Mission and the Egyptian Delegation, headed by Zaghlul Pasha, is taken from the London *Times* of November 6. The Memorandum has not been finally acted upon by the Egyptians.

1. In order to establish the independence of Egypt on a secure and lasting basis, it is necessary that the relations between Great Britain and Egypt should be precisely defined, and the privileges and immunities now enjoyed in Egypt by the capitulatory Powers should be modified and rendered less injurious to the interests of the country.

2. These ends cannot be achieved without further negotiations between accredited representatives of the British and Egyptian Governments respectively in the one case, and between the British Government and the governments of the capitulatory Powers in the other case. Such negotiations will be directed to arriving at definite agreement on the following lines:

3. (a) As between Egypt and Great Britain a treaty will be entered into, under which Great Britain will recognize the independence of Egypt as a constitutional monarchy, with representative institutions, and Egypt will confer upon Great Britain such rights as are necessary to safeguard her special interests, and to enable her to furnish the guaranties which must be given to foreign Powers to secure the relinquishment of their capitulatory rights.

(b) By the same treaty, an alliance will be concluded between Great Britain and Egypt, by which Great Britain will undertake to support Egypt in defending the integrity of her territory, and Egypt will undertake, in case of war, even when the integrity of Egypt is not affected, to render to Great Britain all the assistance in her power within her own borders, including the use of her harbors, aerodromes, and means of communication for military purposes.

4. This treaty will embody stipulations to the following effect:

(a) Egypt will enjoy the right to representation in foreign countries. In the absence of any duly accredited Egyptian representative, the Egyptian Government will confide its interests to the care of the British representative. Egypt will undertake not to adopt in foreign countries an attitude which is inconsistent with the alliance or will create difficulties for Great Britain, and will also undertake not to enter into any agreement with a foreign Power which is prejudicial to British interests.

(b) Egypt will confer on Great Britain the right to maintain a military force on Egyptian soil for the protection of her Imperial communications. The treaty will fix the place where the force shall be quartered, and will regulate any subsidiary matters which require to be arranged. The presence of this force shall not constitute in any manner a military occupation of the country, or prejudice the rights of the Government of Egypt.

(c) Egypt will appoint, in concurrence with his Majesty's Government, a financial adviser, to whom shall be intrusted in due course the powers at present exercised by the Commissioners of the Debt, and who will be at the disposal of the Egyptian Government for all other matters on which they may desire to consult him.

(d) Egypt will appoint, in concurrence with his Majesty's Government, an official in the Ministry of Justice, who shall enjoy the right of access to the Minister. He shall be kept fully informed on all matters connected with the administration of the law as affecting foreigners, and will also be at the disposal of the Egyptian Government for consultation on any matter connected with the efficient maintenance of law and order.

(e) In view of the contemplated transfer to his Majesty's Government of the rights hitherto exercised under the regime of the capitulations by the various foreign governments, Egypt recognizes the right of Great Britain to intervene through her representatives in Egypt to prevent the application to foreigners of any Egyptian law now requiring foreign consent, and Great Britain on her side undertakes not to exercise this right except in the case of laws operating inequitably against foreigners.

Alternative: In view of the contemplated transfer to his Majesty's Government of the right hitherto exercised under the regime of the capitulations by the various foreign governments, Egypt recognizes the right of Great Britain to intervene through her representative in Egypt to prevent the application to foreigners of any Egyptian law now requiring foreign consent, and Great Britain on her side undertakes not to exercise this right except in the case of laws inequitably discriminating against foreigners in the matter of taxation, or inconsistent with the principles of legislation common to all the capitulatory Powers.

(f) On account of the special relations between Great Britain and Egypt created by the alliance, the British representative will be accorded an exceptional position in Egypt and will be entitled to precedence over all other representatives.

(g) The engagements of British and other foreign officers and administrative officials who entered into the service of the Egyptian Government before the coming into force of the treaty, may be terminated, at the instance of either the officials themselves or the Egyptian Government, at any time within two years after the coming into force of the treaty. The pension or compensation to be accorded to officials retiring under this provision, in addition to that provided by the existing law, shall be determined by the treaty. In cases where no advantage is taken of this arrangement, existing terms of service will remain unaffected.

5. This treaty will be submitted to the approval of a constituent assembly, but it will not come into force until after the agreements with foreign Powers for the closing of their consular courts and the decrees for the reorganization of the mixed tribunals have come into operation.

6. This constituent assembly will also be charged with the duty of framing a new organic statute, in accordance with the provisions of which the government of Egypt will in future be conducted. This statute will embody provisions for the ministers being responsible to the legislature. It will also provide for religious toleration for all persons and for the due protection of the rights of foreigners.

7. The necessary modifications in the regime of the capitulations will be secured by agreements to be concluded by Great Britain with the various capitulatory Powers. These agreements will provide for the closing of the foreign consular courts so as to render possible the reorganization and extension of the jurisdiction of the mixed tribunals and the application to all

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foreigners in Egypt of the legislation (including legislation imposing taxation) enacted by the Egyptian legislature.

8. These agreements will provide for the transfer to his Majesty's Government of the rights previously exercised under the regime of the capitulations by the various foreign governments. They will also contain the following stipulations:

(a) No attempt will be made to discriminate against the nationals of a Power which agrees to close its consular courts, and such nationals shall enjoy in Egypt the same treatment as British subjects.

(b) The Egyptian Nationality Law will be founded on the *jus sanguinis*, so that the children born in Egypt of a foreigner will enjoy the nationality of their father and will not be claimed as Egyptian subjects.

(c) Consular officers of the foreign Powers shall be accorded by Egypt the same status as foreign consuls enjoy in England.

(d) Existing treaties and conventions to which Egypt is a party on matters of commerce and navigation, including postal and telegraphic conventions, will remain in force. Pending the conclusion of special agreements to which she is a party, Egypt will apply the treaties in force between Great Britain and the foreign Powers concerned on questions affected by the closing of the consular courts, such as extradition treaties, treaties for the surrender of seamen deserters, etc., as also treaties of a political nature, whether multilateral or bilateral, e.g., arbitration conventions and the various conventions relating to the conduct of hostilities.

(e) The liberty to maintain schools and to teach the language of the foreign country concerned will be guaranteed, provided that such schools are subject in all respects to the laws applicable generally to European schools in Egypt.

(f) The liberty to maintain or organize religious and charitable foundations, such as hospitals, etc., will also be guaranteed.

The treaties will also provide for the necessary changes in the Commission of the Debt and the elimination of the international element in the Alexandria Board of Health.

9. The legislation rendered necessary by the aforesaid agreements between Great Britain and the foreign Powers, will be effected by decrees to be issued by the Egyptian Government.

A decree shall be enacted at the same time, validating all measures, legislative, administrative, or judicial, taken under martial law.

10. The decrees for the reorganization of the mixed tribunals will provide for conferring upon these tribunals all jurisdiction hitherto exercised by the foreign consular courts, while leaving the jurisdiction of the native courts untouched.

11. After the coming into force of the treaty referred to in Article 3, Great Britain will communicate its terms to foreign Powers and will support an application by Egypt for admission as a member of the League of Nations.

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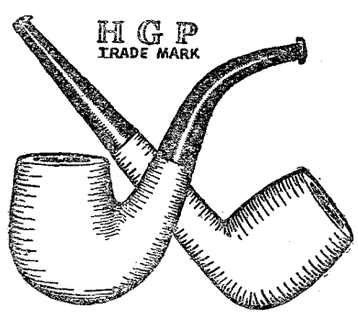

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Two Sections

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Section II

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American Commission on Conditions in Ireland

Report of the First Hearings Held in Washington, D. C., November 18 and 19, 1920

INTRODUCTION

THE tragedy of the situation in Ireland is a matter of concern to humane people everywhere. It is a tragedy that has moved from crisis to crisis, piling horror upon horror. On the one side there is what is virtually an army of occupation, consisting of police, auxiliary police (Black and Tans), and regular troops, all armed with the weapons of modern warfare, whose number is estimated at 150,000 or more, though official figures are unobtainable. This force is engaged in holding Ireland to its place in the British Empire which it has occupied since its conquest. This program is faced by the determined resistance—for the most part passive, here and there flaring into acts of often extraordinary violence—of the great majority of the population, a proportion estimated at from 70 to 90 per cent. The whole situation appears to be entangled in a vicious circle of rigorous military repression, violent outbreaks against this repression, and widespread military reprisals in the form of murder, arson, and the destruction of property. It is a curious fact that both the British Government and the Irish Republican Government deny any connivance at or responsibility for the various acts of terrorism. Meanwhile for the greater part of the population of Ireland today, not only have normal civil processes and the accustomed rights of citizens in a civilized society been abolished, but the ordinary securities of human life have disappeared.

It is this deplorable situation that has led to the creation of the American Commission on Conditions in Ireland, a body pledged to a thorough and impartial investigation of the whole Irish situation, in the hope that a basis of facts will be established which will suggest a way to peace and justice in Ireland. The parent body of the Commission was a large committee of representative Americans, summoned together through the good offices of the editors of the New York *Nation*. Every effort was made to gather a body of men thoroughly representative of all shades of American opinion. Every United States Senator was invited, the Governor of every State, every Protestant Episcopal, Methodist and Roman Catholic Bishop, and prominent citizens distinguished in every department of civil effort. The Committee includes five Governors, ten Senators, a dozen Congressmen, the Mayors of fifteen large cities, Cardinal Gibbons, Archbishop Keane, and four Catholic Bishops, seven Protestant Episcopal Bishops, four Methodist Bishops, priests, educators, editors, business men, and labor leaders. This body elected the Commission from its own membership.

The Commission was formed with the idea that the American people are so closely bound by ties of blood and by a common cultural heritage to both the English and the Irish peoples that the tragedy in Ireland is a matter of their deepest concern. Its implications threaten a break between the American people and the people of Great Britain so serious as to be a menace to future relations between Great Britain and the United States.

In these circumstances the Commission is summoned to perform a high public service in the cause of peace. It is wholly an unofficial body. Its conclusions and reports will have no binding authority on any government. But it is backed by a steadily increasing momentum of public opinion, desirous of helping to bring to an end an intolerable situation between two neighbor peoples with whom we shared the hardships and perils of a great international crisis.

The following pages are in the nature of a first report of the Commission. They are the official stenographic transcript, partly direct quotation, partly in summary form, covering hearings held by the Commission, November 18 and 19, to get at the facts of the Irish situation. The condensation—from some 60,000 words of testimony—has been made with the greatest care to omit no vital point. Two Irishmen and several Americans gave testimony at these hearings. All the witnesses were persons sympathetic toward the aspirations of the Irish republicans. That the anti-republican viewpoint and the official British point of view were not represented at these first hearings was a matter of regret to the members of the Commission, who sought to have facts presented from all angles. Anti-republican Irish and British witnesses were invited, wherever the Commission was able to hear of them, but in every case such witnesses showed a reluctance to appear before the Commission. The British Embassy was invited to designate any witnesses it desired to appear, but no advantage was taken of this invitation. In order to get the full story of Ireland from every angle, the Commission has designated a sub-committee to visit England and Ireland, to gather in England facts and opinions on the Irish situation, and to make on the ground an intensive study of Irish conditions. Further hearings are being planned in this country. Additional reports of the work of the Commission will be issued from time to time.

This pamphlet, it is believed, offers the initial chapters of the first comprehensive and logically developed picture of the Irish situation placed before the American people.

COMMISSIONER HOWE'S OPENING ADDRESS

Before the Commission sitting at the Hotel Lafayette, Washington, D. C., November 18, 1920. Session called to order by Commissioner Howe as chairman at 10:22 A. M. Present: Commissioners Addams, Howe, Maurer, Walsh, Wood.

MR. HOWE. This is the first session of the hearings of the American Commission on Ireland. . . . The motives which called this Commission into existence, and its purposes as formulated by the Commission are as follows:

The American Commission on Ireland, which now opens its first hearings, was elected by referendum vote from a larger Committee of one hundred and fifty eminent Americans organized through the efforts of the New York *Nation*. Conditions in Ireland have profoundly stirred millions of American citizens of

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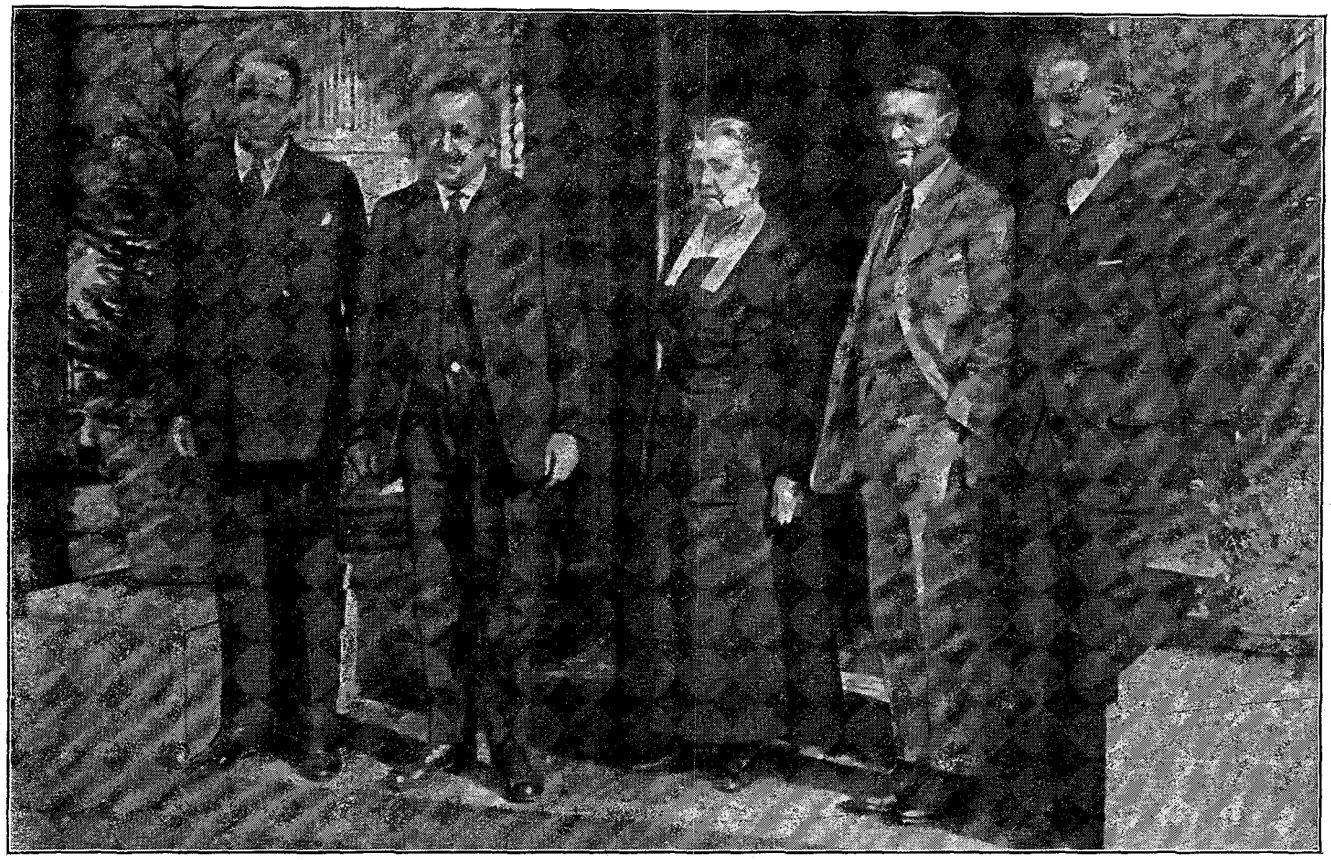
The Commission



Left to Right: Senator David I. Walsh, James H. Maurer, Jane Addams, Dr. Frederick C. Howe, L. Hollingsworth Wood.

Irish descent. They have created and are creating a widening rift in the friendly relations of English-speaking peoples, not only in America but all over the world. No person who shares our common blood and language can view unmoved the existence of civil war, the killing of human beings, and the substitution of martial rule for the civil state in any part of the English-speaking world. As a people we have been trained by centuries to a belief in orderly civic processes. Only in direst necessity can there be justification of a resort to arms for the adjustment of disputes which it has been our custom and our pride to adjust by reasoned and amicable means. What the world most needs is peace. It needs an ending of hate. Discussion should resume its ascendancy and reason should displace the employment of force. The orgy of destruction which is now ravaging Ireland is sending its repercussions to every corner of the civilized world. It cannot fail to postpone indefinitely the return of ordered tranquillity to civilization. In addition to all this, the political life of America as well as its orderly social processes are profoundly disturbed by the injection of an internecine war between peoples of our own flesh and blood.

Feelings such as these gave birth to this Commission for investigating into conditions existent in Ireland. The Commission has set itself to the task of ascertaining the facts. It plans to learn as nearly as possible just what the conditions in Ireland are and what has brought them about. It plans to conduct a series of public hearings in Washington. It will hear witnesses who present themselves representing English and Irish opinion. The Commission plans to send a mission to England and Ireland to make an inquiry into conditions in the latter country. It will investigate the killings and disorders. Quite as important to the permanent adjustment of the dispute, it will investigate into the economic conditions in Ireland, the extent to which the Irish have developed a self-contained economic and cultural life, and the extent to which the Irish people have evolved their own agencies of self-government during the last few years. In making these investigations, the Commission has received assurances of cordial cooperation from liberal-minded groups in England, who are also deeply concerned over the state of civil war that exists in Ireland. It has received similar assurances from British labor groups and from British statesmen, as well as from organizations in Ireland. Judging by the expressions that have reached the Commission, the creation of this unofficial agency and the delegation of this unofficial mission to Ireland have awakened a genuine hope that through an impartial inquiry into the facts and a disinterested study of conditions, some constructive measures may be formulated for ending the chaotic situation that now prevails. In carrying out the purposes of the inquiry, the Commission has sent a number of communications to the British Ambassador and to Mr. de Valera. Persons representing any phase of this subject have been invited to be present this morning. Witnesses who have been called have been given the privilege of selecting counsel, and the Commission is solicitous that all interests that may be directly involved should be permitted to make such inquiries of the witnesses as are germane to this inquiry. Senator Walsh asks me to emphasize that all of these witnesses here today are witnesses of the Commission. They have been invited by it. Their expenses have been paid by it. These hearings are hearings of the Commission.

At the opening of the session Messrs. Frank P. Walsh and Dudley Field Malone appeared before the Commission, asking permission to be present as counsel representing the American Commission on Irish Independence, an organization representing the Irish republican viewpoint. Their appearance was noted.

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The Testimony of Denis Morgan

The first witness called was Denis Morgan, Chairman of the Urban Council of Thurles, Ireland. He requested that Messrs. F. P. Walsh and D. F. Malone be permitted to guide him in his testimony and this was granted. Mr. Morgan stated that Thurles was a town of some 5,000 population, a large agricultural center, not a manufacturing town, situated in Tipperary. The twelve members of the Urban Council, the local administrative body, were elected by popular vote on a basis of proportional representation, the members of the council in turn electing a chairman. The last election was held January 13, 1920, in which three parties contested, the Republicans (Sinn Fein), the Labor Party, and the Independent Party. The Independents were opponents of Sinn Fein, while Labor fully indorsed the republican program. The results of the election were declared January 16, and five Labor men, four Sinn Fein and three Independents were elected to the council. Mr. Morgan went in as a Labor candidate. He was a member of the Teachers' Association on the Trades Council, and during the twelve years of his residence in Thurles he had taught English, Irish, and mathematics at the Christian Brothers' School and at the Diocesan College. Mr. Morgan was a married man with two small children.

There were very fine churches in Thurles, a cathedral and an archbishopric (Roman Catholic), and St. Mary's Church (Protestant) in charge of Canon Wilson. Both Protestants and Catholics were buried in the cemetery attached to St. Mary's. There were only about a dozen Protestants in the town itself, but more in the countryside, and the population of the surrounding country was accustomed to come to Thurles to worship. There had always been the most friendly relations between persons of all religions in the district. For twenty-five years the Chairman of the Urban Council was a Protestant. Catholics and non-Catholics had always carried on trade together freely, and the largest trade in town was conducted by a non-Catholic, a woman. The population of Thurles was extremely law-abiding. During the twelve years of Mr. Morgan's residence, up to the recent times, there had never been a murder, or a case of any of the major felonies, such as forgery, rape, or embezzlement. The local government (British) courts were petty courts, presided over by one of the resident magistrates, who were appointed by the Government. In the absence of the resident magistrate the senior member of the local justices of the peace, who were also appointed by Dublin Castle, presided over the courts. "At the weekly petty sessions the general matter is of such nature as stray animals on the road, or a man going home at night without a light on his car, or a certain man going home that had been imbibing too freely." Small fines were imposed. There had not been military barracks in Thurles up to the last two years, when the local hospital was commandeered and fitted up as a military barracks. Up to that time there had been only fifteen or twenty policemen there, Government appointees, under the district inspector. The town council never had any authority over the police, and members of the Royal Irish Constabulary (the R. I. C.) were never allowed to serve in the county in which they were resident. If a constable married a local girl he was immediately removed elsewhere. The administration of justice and the preservation of peace and order was kept under the control of the British Government. At present the constabulary was quartered in the barracks at the end of town. The men had hand grenades, rifles, shot-guns and revolvers, and a supply of machine guns. The barracks were sandbagged and contained barbed wire and other materials for barricades. The police patrolled in squads of eight, "each man carrying a carbine, the man on the right with a rifle and the man on the left with a shot-gun. They carry revolvers in their belts."

Witness stated that the election on January 13 was perfectly orderly. It was conducted under the rules for elections laid down by the Local Government Board, which he described as an agency "brought in by the British Government for extending to the Irish people more freedom in their own affairs. It has been in force for many years." Proportional representation for the local and district councils throughout Ireland had originally been made law in the House of Commons. The new council, which took office immediately, announced that it would elect its chairman by majority vote on January 30. Mr. Morgan and a Mr. Tulane were the candidates for the chairmanship. On the night of the thirtieth, as he was preparing to leave his home to attend the council meeting, Morgan was arrested at his door by eight armed members of the Royal Irish Constabulary.

"I heard a knock at the door and as I opened it a hand was placed on my shoulder. A member of the Royal Irish Constabulary said: 'I arrest you.' I said: 'On what charge?' He said: 'On the orders of His Majesty's Government.'"

No papers were shown or read to Mr. Morgan.

Questioned about his family, witness stated that his boys were five and two years respectively. His wife at that time was approaching her third confinement. Ten days before his arrest there had been a raid on the town. The verbatim testimony of the witness follows:

THE ATTACK ON THURLES

THE WITNESS. On the twentieth of January, before the arrest took place, about 11:10, my wife was in bed and my boy of five years was in the cot. I had put out the light and had got ready to go to bed when I heard shooting going on in the town. My house is about five hundred yards from the Royal Irish Constabulary barracks. It is on one of the corners of the street facing up toward the town. The town contains a large square—Liberty Square, they call it. On the side of the house facing toward this square there are seven windows. All the rooms are exposed toward it. On the front there are six windows looking out into the street. When I heard the shooting first I thought it was only isolated shots, and then I heard heavy volleys. So I said to my wife, "We must get out of this room immediately. If there are any stray shots, we shall be in danger." We hastily got out of bed and got down to a lower basement where it was fairly good protection from the side and also from the front, because we were in the back. I went back and got the youngster out of his cot. I had to go on all fours lest a bullet should come in. I dragged him down and had to go back for some clothes to cover us. All that time the firing was going on heavily. And it got nearer and nearer.

Q. Had any of the bullets struck your place? A. Not up to that time. Just as I got inside the basement with the clothes I heard bullets hitting the house. There was a door there facing the street. The bullets came in through the hall and swished by the door where we were standing. We heard the glass going and the plaster falling off the ceiling.

Q. The glass of your own house? A. Yes, sir. I placed my wife and the little boy flat on the floor. We tried to protect ourselves as well as we could. It was a miserable cold night. My wife, in her condition, being within two weeks of her confinement, was in a terror-stricken state. We lay there. The firing continued. The heavy volleys we heard outside seemed to pierce every window in the house. Then the firing moved back to town again. It lasted altogether for about an hour, and it stopped. We remained in the same position, anxious to know if it would break out any more. In half an hour's time it started again, but on the second occasion it did not last so long. Only about ten minutes. We could not stir from the position we were in because we did not know at what moment it would break out again. So that we had to lie on the stone floor all night.

Q. Did you go out in the morning to make an examination of the city? A. Yes, sir. There was a crowd outside my house, looking up at the front of it and wanting to know if we were all alive. Every window in the house had been pierced by bullets. Some struck the doors. I counted twenty-one of them. Inside the rooms the ceilings were all torn and the woodwork was all shattered. There was debris lying on the floors and all around.

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I proceeded up town to see who had been killed, and the whole street was littered with plate glass shattered by shots along the side of the large square—both by breaking and by rifle shots. The newspaper office, to which I proceeded, had been shattered by hand grenades. Just inside the window you could see the large holes in the floor where they burst.

Q. Could you see who carried on this firing? A. I did not attempt to put out my head.

Q. All you know about it was what you ascertained the next morning? A. Yes. The statements made by the inhabitants were that the Royal Irish Constabulary had come out of the barracks and had gone down the street and were acting under orders. Several people told me they had orders given to them.

Q. Were there any soldiers employed in addition to the Royal Irish Constabulary? A. There were.

Q. Who was the district inspector? A. District Inspector Golden.

Q. Who was in charge of the military proper? A. I could not tell you that.

COMMISSIONER HOWE. Prior to January twentieth and those disturbances that you have described, were there any actions on the part of the people of that town of a lawless character, or any disturbances of the peace, or anything that would appear to be a justification for an attack on that town? A. In the morning I ascertained that a member of the Royal Irish Constabulary had been shot the evening previous.

Q. Where was he shot? A. Back of Liberty Square.

Q. Do you know by whom he was shot? A. Oh, no.

Q. And the attack was made following the shooting of one of the members of the Royal Irish Constabulary? A. Yes, sir.

Q. Was there a row, an open fight, over the killing of this member of the constabulary. A. Oh, no.

Q. You learned the next morning that it all occurred on the same night? A. Yes, sir.

Q. What area of the town was covered by this shooting? A. The area was directly along the main thoroughfare.

Q. About a mile? A. A mile and a half.

Q. Was every house attacked along that thoroughfare? A. No, only certain houses were attacked.

Q. COMMISSIONER WALSH. About how many in number? A. To the number of ten, I would say.

Q. Were there any business houses attacked? A. Yes, sir. Most of them were business houses. A man with a large trading establishment had the front windows shot out and bullets through the upper rooms. Two licensed premises on the opposite side of the street had the same—plate glass windows shattered. Two private residences, mine and another member of the Urban Council. I may mention that of the members of the Urban Council, there were four members whose houses were attacked on that night—four newly elected members.

Q. What was known to be the political opinion of the members of the council whose houses were attacked? A. They were all known to be associated with the movement for national independence.

Q. And they were all among the local leaders of the movement? A. Yes.

Q. So it was apparent that they picked out those who were associated with this movement? A. Yes, sir.

Q. Were these labor members who were elected to the council in favor of a republican form of government for Ireland? A. Yes.

Q. How many of the council members were in favor of a republican form of government? A. Nine out of twelve. But one of the independent men, who was in opposition to a republic, is now in favor of it.

Q. COMMISSIONER HOWE. That takes us to the approaching election of the chairman of the town council and his arrest.

THE WITNESS. Previous to that let me state that the morning after the shooting we had a visit from the members of the English Labor Party, who were sent over to Ireland to look into affairs. It happened that they came along at twelve o'clock of that day and passed through the town on their way to the hotel from the station. They saw the damage and issued a statement.

Q. Who were the members of this mission? A. Mr. Arthur Henderson, Mr. Adams, and several others.

Q. Have you their statement? A. I did not bring it with me. I did not know whether I would be permitted to bring papers.

Q. What was the matter of that statement? A. They said that they had been in Flanders, and the scene they saw in Thurles that day was worse than anything they had seen in Flanders.

Q. Were you ever on the town council before? A. No, sir.

Q. But you were a school teacher in the town for twelve years? A. Yes. On the morning of the twenty-fourth I received a letter in a disguised handwriting, saying: "You will depart this life if you do not leave this town within twenty-four hours," signed, "Vengeance." I received that on Saturday morning, the twenty-fourth, I think it was. I did not pay any attention to the letter. Things kept on quietly for the next week.

DEPORTATION TO AN ENGLISH JAIL

Q. You have no knowledge of the authenticity of that letter? A. No, sir. No direct knowledge. But I have a very good idea of where it came from. On the thirtieth this meeting of the council was to take place, the statutory meeting at which the chairman was to be elected. I was arrested, as I said. I asked the charge. They said there was no charge; only government orders. I was marched up to the town surrounded on both sides by the Royal Irish Constabulary. I was marched away up to the other end of the town to the police barracks. I was brought inside and all the contents of my pockets turned inside out. This threatening letter I got on the Saturday previous was among the letters I had in my pockets. All these documents were taken away after being gone through by the police. I afterwards received them all back with the exception of the threatening letter. I never received that threatening letter back.

Q. How many prisoners? A. There was Mr. Tulane, another member of the Urban Council.

Q. What is his business? A. He carries on a large business as a seller of hides. He was elected on the Republican Party. And then there was a Labor member. He was organizer for the Thurles Irish Transport Workers' Union.

Q. What was his name? A. Eamonn Hayes. And then another chap named Eustice, a Republican.

Q. The whole four were in favor of a republic. A. Yes. We were handcuffed in pairs, placed in motor lorries, and taken to Templemore and thrown into cells there. At midnight we were taken out by armed soldiers, handcuffed all the time in pairs, and proceeded to Limerick, which we reached about three o'clock in the morning.

Q. *How far is Limerick?* A. *About forty miles.* We were handcuffed there until about eight in the morning. We were then put in motor lorries, again handcuffed, and carried to Cork jail, which we reached about eight in the evening. We were put into cells there. The second of February we reached Cork. On the fourth of February I got a telegram announcing the birth of my son.

Q. Was there any indictment against you? Were you ever tried? A. Oh, no, sir. We were taken from Cork on the eighth of February at about 4:30 in the morning. We were told to pack up. I asked the warden where we were going, and he said he did not know. We were lined up in a procession of fourteen motor lorries preceded by an armed car. Four prisoners handcuffed in pairs were put in each motor lorry and the car was then filled with armed soldiers wearing helmets.

Q. How many prisoners? A. Fifty-five in our batch. We were brought down to Cove, that was formerly Queenstown, and we were put on two lighters, two tenders, and shipped out into the bay, where there were two war sloops waiting for us. We went aboard the first sloop and had to cross from the deck of this sloop onto the next sloop. The handcuffs were not removed. The captain of the second sloop said he would not permit any prisoner to pass the gangway of his sloop until the handcuffs

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were removed, because it was too dangerous. We were brought across to Milford Haven, where a special train was waiting for us and carried us to London. As we went aboard the war sloop an officer came along and read out a document which said that, Whereas, I was an individual who had acted or was acting or was about to act in a manner prejudicial to the peace of the realm, I was a fit person for deportation.

Q. How long were you handcuffed continuously? A. Practically twenty-four hours.

Q. Handcuffed to the other men. A. Yes.

Q. Where did they put you in the ship? A. Down in the hold. Away down through a little square hole just large enough for a man's body to go down.

Q. How many in the hold? A. Thirty-five prisoners.

Q. And ventilation? A. No sort at all.

Q. None otherwise than the hatch? A. No, sir. Some of the men were practically lifeless when they got across. One of the members of the Royal Irish Constabulary forces came down with us and he had to be carried out in about five minutes.

Q. The air was foul? A. Very foul. I was interned up at Wormwood Scrubbs prison, London, about the second of April. There was sickness in my family. If a man interned there had one of his relations who were sick, it was the common custom that a man would apply for leave to go home, giving his parole that he would come back by a certain date. There had been about six paroles before this date. Every one had been kept. One chap got a telegram that his mother was dead in Cork. He just had time to ask for leave and to catch the Saturday boat, and had to take a motor about forty miles into the country. He just got there and met the funeral of his mother. He came back in three days, and had previously applied for extension of parole and had not got word of it. He reached the prison gate and was just talking and shaking hands when he learned that his parole was extended, and then he went off again. That was the system. Every man got a parole who had reason for it. On the second of April I got word that my son was dying.

Q. Which son was that? A. The oldest. I immediately applied for a parole to go home because my little boy was dying. No reply came to that application; it wasn't granted.

Q. Meantime had you heard of the condition of your son? A. Yes, I got word from my wife that he was still dying. On the ninth I got a telegram that the child was dead. I sent in another application for parole. He had died on Friday night, and was to be buried on Sunday, so that I just had time to get there. I got no answer until five-thirty in the evening. Then the warden came along and said, "I'm very sorry, I've got this document to read to you." The document was that the Government could not see its way clear to grant the parole.

Q. The child was buried in your absence? A. Yes. I tried to get word through to my wife. I sent her word but she did not get it.

Q. Did the election of the chairman of the council proceed? A. Yes, sir. The night I was arrested, while I was still in the lockup in the Royal Irish Constabulary barracks, the news reached me that the election had taken place and I was elected.

Q. Was it known before you were arrested that you were a candidate? A. Yes, sir. Everyone knew it.

Q. Had it been published in the local press? A. Yes.

Q. What was the vote? A. Four to three was the vote. There were two of us in the lockup cell and there were two men on the run. One thing more about while we were in prison. On the twenty-fifth of April we put in a demand to the Government that we be tried on some charge or other. We demanded to be brought to trial or else released. They refused. We got no answer to the demand and we went on hunger strike. We refused to take any food in the prison until we were released or tried. Two hundred of us went on hunger strike at this time. When some of the men began to get exhausted and were collapsing, we asked the governor of the jail if he would leave the cell doors open in the night-time so that those of us who were not in as bad state as the rest, we could look after them. That request was refused, and we broke down the doors that night. So we were taken out of the cells where we were and thrown into what are called punishment cells. We were three days on hunger strike at this time, and were getting pretty weak. These punishment cells are in the basement, low down. They had not been opened for twenty years, I think.

Q. What was the size of those cells? A. Twelve feet by eight, I suppose. We were left there for four days. The conditions were bad there. We were never given any water to wash ourselves or anything else. We were left in a filthy condition.

Q. How many days were you in those cells? A. Four. I was taken out of the cells in the low basement and placed in the very top of the house, up four flights of stairs. We could take a little exercise at certain times of the day, walking out of the cells and down into the yard and walking back again. I used to do this until my legs gave way due to hunger. I was then locked up. None of the doors were ever opened after that. The doctor came along and asked me to take some medicine, and I said, "No, not so long as I am in the prison. As soon as I am out of the prison gate, I will take medicine." He tried to force it down my lips but I threw the glass out of his hand. The next day at twelve o'clock a man arrived and said to me that an ambulance was waiting outside for us. He did not tell us where we were going or anything else. They brought us to the ambulance and took us to St. James Hospital, near the jail. We were in the hospital then for about three weeks. We never got a thing when we left. I may tell you that upon leaving the jail, we were simply taken out of the bed and put into the ambulance. We had no clothes. The money we had on us when we were arrested was taken at the prison gate. Our watches were also taken. When we came out, we got back none of our property or our money. We were three weeks in the hospital.

Q. Did you ever get your money back? A. Oh, yes, eventually. Another thing was that if a man was released from a prison in England, he had to be sent back to Ireland. You got a voucher to bring you back to the place where you were arrested. When we came out of the hospital we asked for a voucher, our watches and our money. They were all refused.

Q. How then did you get back home? A. Fortunately some of us had friends in London, so that we got some money and got home. We kept applying and applying, and finally after six weeks I got my money back. But we were never paid for our railway fare. The result was that I took up my position on the Urban Council in June. There was a great assembly called of all the public bodies in the county to appoint judges for the republican system of arbitration courts. The government courts of Thurles had fallen into disuse for about twelve months past. These courts were all practically falling into disuse altogether.

Q. By reason of the fact that the military authorities were assuming control of all disorders? A. No, by reason of the fact that the people were refusing to go into these courts. The people wouldn't use them. The petty court has quit sitting and the court house has fallen into dilapidation. For several months the republican arbitration courts have been the only courts in Thurles and the lawyers practice in them.

Q. COMMISSIONER WALSH. Are they allowed to carry on their business without restraint on the part of the military? Do they do it in public or do they have to do it in private? A. Oh, they have to do it in private.

Q. Are the decrees of this court respected by the people of Thurles? A. Absolutely. I may say that at first the court did sit openly, and then a member of the Royal Irish Constabulary closed the court, and since then they meet surreptitiously.

Q. How about this meeting, this assembly? A. We called a meeting of the whole constituency. That is, a village area takes up the whole council. We called a meeting of all the governing bodies.

Q. What governing bodies? A. The Urban Council, the District Council, the labor bodies, and other public bodies. We got them all to send representatives to the assembly at Thurles. At that meeting they appointed five judges.

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Q. Who were these judges? A. Five citizens, Mr. O'Byrne, Mr. Dwyer, Mr. Leady, Father O'Brien, and Mr. Hassett.

Q. Could you give the businesses of these men? A. Yes. Mr. O'Byrne is a barrister, Mr. Dwyer a farmer, Mr. Hassett is also a farmer, and Father O'Brien is a local priest.

Q. Returning to the murdered policeman at Thurles. Do you know of any reason, any enmity or animosity, that would lead to his being killed? A. No.

Q. Did they make any inquiries into the cause of his death? A. Oh, there was an inquest. But he did not die on that night of the shooting-up. He died two days after. A coroner's jury found he was shot by some persons unknown.

Q. Was he conspicuous in any work there among the British officers that might make his particular actions offensive to the people of the village? A. Well, you see, I could not really tell you what his duties were. In these cases we have no control whatever over the Royal Irish Constabulary. We have no control, we know nothing about the duties they were performing.

Q. Did you personally know this officer? A. I did.

Q. What was his name? A. Constable Finnegan.

Q. Had he been obnoxious in any way? Had he been overzealous in his duties? A. I really could not say.

Q. At that time had they abandoned the coroner's inquest? A. No, not at that time.

Q. The finding was merely that he was shot down by persons unknown. No other finding? A. No other finding.

Q. What were the circumstances of his shooting? Was he on his beat? A. I think so. I think he was going home.

Q. Did he have any quarrel with the neighbors? A. I do not know. It could happen, but I do not know about it.

Q. What was the best information you obtained as to the time when the officer was shot? A. About half of ten.

Q. How long after this policeman was shot did the shooting up of the town take place? A. About an hour.

Q. And everybody in town was practically in bed or in his home at that time? A. Yes, sir.

REPUBLICAN VICTORY AT THE POLLS

Q. The elections to which you referred under the Local Government Act which resulted in the return of Labor men and Republican men: do you know what the results generally were of the elections throughout Ireland at that time? A. Oh, yes. There had been a great victory at the polls for the republic.

Q. About what per cent of the Urban Councils went republican? A. I would say about ninety per cent.

Q. All over Ireland? A. All over Ireland.

Q. North as well as South? A. Not so much in the North; but if you take the whole of Ireland.

Q. Ninety per cent? A. Ninety per cent.

Q. What per cent of the councilmen were Labor men and what per cent Republicans and what per cent Unionists? A. Our own council is a good case: about five Republicans to four Labor men and three who are for union.

Q. On the whole, do the men who run as Labor candidates adhere to the principle of republican organization for Ireland? A. All of them.

Q. On the night that they shot up the town, was anyone killed? A. No.

Q. Anyone wounded? A. No. There were some very remarkable escapes, though. For instance, the bed in which I was sleeping was struck. Had I not the good sense to get out of the bed, I would have been struck.

Q. Had you any personal knowledge of the facts surrounding the killing of this constable, or do you know of any resident of Thurles that had such knowledge? A. No.

Q. What was the popular sentiment in that town? How did the people feel about it? A. The people were so terror-stricken and absorbed in their own safety that they did not have time to think about anything else.

Q. Since then it must have been discussed among the neighbors. A. Yes, but the people do not know who committed it.

Q. I do not mean who committed it, but the fact that it occurred. How did they feel about such an occurrence in your town? A. I could not say.

Q. MR. F. P. WALSH. Has there been any further shooting up of the town since you came back? A. Oh, yes. While I was in prison it was shot up twice, similar to the first time.

KILLING OF M'CARTHY AND ROONEY

Q. I wish you would detail anything you had knowledge of in the immediate vicinity—for instance, in Templemore, the killing of the men, would you detail? A. First of all, while I was in jail in March, there was another member of the Urban Council named McCarthy who was very prominent in demanding an inquiry into the shooting up of the town. At the Urban Council he put forward a resolution that some inquiry be held as to the importance of the damage done and everything else in the shooting up of the town. This chap got a letter informing him that if he came up Pryor Street in the direction of the barracks they would give him all the information he wanted. Naturally he did not go. But there was a bad sequel to it. A few nights afterward, after the family was in bed—they live off the Liberty Square—a knocking came at the door and they asked who was there, and they said they were looking for one McCarthy. The member of the Urban Council is Michael McCarthy. The brother, a lad named James, who never takes part in public life in any way, simply a chap who is fond of going around with dogs and sporting, he said he would go down and answer the door. As he answered the door the men asked him what was his name. He said McCarthy. Immediately two shots were fired, and he fell back dead in the hall. His sister and brother came down. The sister said she would go to the priest's, and she ran down the street in her bare feet. As she proceeded, two shots were fired after her.

Q. Did they hit her? A. No, she luckily escaped. There was a coroner's inquest held over her brother. The verdict was that he was murdered by men dressed in the uniform of the Royal Irish Constabulary. The next night at a place named Ragg three miles from Thurles there was a chap there named Dwyer. A knock came at the door and his sister, a married lady, opened the door, and they demanded her brother.

Q. What was his position? A. He was a licensed trader. She said he was upstairs. He came down with a candle in his hand. Two shots were fired and he fell. A man at the door said, "I think I will finish him." And he fired another shot into him. The verdict in that case was, "Wilful murder" by the members of the Royal Irish Constabulary. About three days afterward members of the constabulary came through in motor lorries shouting: "Dwyer is dead and a very good job." They came back to the house where this sister, this married girl lived and smashed all the bottles in the house and fired shots through the ceiling. The result was that she had to leave the shop altogether. The shop was shut up for several weeks. She came back after a time and a similar occurrence happened. The shop was shot up again. There was a case at Holy Cross, about three miles from the old abbey of Holy Cross, where a wake was being held. A girl had died and a wake was being held at the house. At a wake in Ireland the neighbors assemble and they say the mass for the dead and sit up all night with the corpse. At the wake there was a poor old simpleton.

Q. What was his name? A. Mr. Rooney. He happened to go out of the corpse house about three o'clock in the morning. He was riddled with bullets. Shots were also fired through the doors and windows of the corpse house. There was another man, the village postman, who was brought out and told to look at the body of the dead comrade. He expected to be shot, too, and he said, "But you know me, you know who I am. I am the village postman." They said, "No, we don't know who you are."

Q. Who were "they"? A. They were the men who came in lorries. They were not from Holy Cross. Finally one of the men spoke up from the lorry and said, "Yes, I know him. He's

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the postman." The verdict on Rooney was again wilful murder.

Q. Who returned that verdict? A. The coroner's jury.

Q. Who selects those twelve men? A. The police; that is, the Royal Irish Constabulary.

Q. So that the verdict of a jury called and convened by the Royal Irish Constabulary pronounced that crime as wilful murder? A. Yes, wilful murder committed by the armed forces of the Crown.

Q. What could be the motive and reason for shooting up a house where there was a dead body? A. I was just coming to that. The next morning there was an official notice appearing in the papers coming from Dublin Castle.

Q. Dublin Castle is the representative of the British Government in Ireland? A. Yes. This report stated that there had been an attack on the police barracks in Holy Cross and one of the members had been shot dead.

Q. Had there been an attack on the barracks? A. No.

Q. Were there any other persons killed at the house? A. No other persons were killed, but other shots were fired, lots of them, through the house.

Q. What was it that prevented them from killing others in the house? Was there any person who intervened? A. There was a man who was a cousin of the person who was dead. He was an ex-army officer. He came out and they asked him what business he had there. He said he was an ex-army officer—he explained who he was. I think his presence saved the other men from being shot also.

Q. If it will not interrupt your narrative, when was the Lord Mayor of Cork killed, Mr. MacCurtain, with reference to your confinement in jail? A. He was killed in March.

Q. And you were then in Wormwood Scrubbs prison? A. Yes.

Q. Did you have any advices prior to the death of Mayor MacCurtain that he was to be killed? Please tell that incident. A. On the sixteenth of March there was a prisoner from Ireland arrived in Wormwood Scrubbs. I happened to know this man. He was Mr. Dwyer, a member of the arbitration court. When he came in, I shook hands with him. He was telling me about home affairs. He said, "By the way, I heard something coming over on the boat—that yourself and Lord Mayor MacCurtain were sentenced to be shot by the R. I. C.

Q. He said that Mayor MacCurtain was to be shot to death by the Royal Irish Constabulary? A. Yes, by the R. I. C.

Q. When was that date? A. The sixteenth of March.

Q. When was his life taken? A. On the twentieth.

Q. Did you receive any information from any member of the English Labor Commission who was present in Thurles the day following the first shooting as to what information he had from the Royal Irish Constabulary as to their future movements in your town? A. Yes, I did. I had an interview with the members of that commission, and was talking with Mr. Arthur Henderson. Just as he was leaving the town he called me aside and said to me: "Mr. Morgan, I want to speak to you a minute. When I arrived at the station this morning I was speaking to a member of the Royal Irish Constabulary. I said the shooting up of the town was terrible. He said, 'Well, they deserved it for shooting one of our men, and it is nothing to what we will give them tonight if he dies.'" That was Mr. Arthur Henderson of the British Labor Party.

As a result of the terrorism, all social life in Thurles had virtually ceased. The town hall had formerly been a social center and the place of recreation for the young men. For a year it had been used as a barracks by the police. There used to be classes in Irish and other cultural subjects. This had all been wiped out. It was scarcely safe for traders to keep open. "Many people are afraid for their lives and are leaving business and giving up their places for sale. Armed motor lorries on patrol are rushing along day and night. Only in cases of necessity are people using the roads at all. They never venture on the roads except in the day time, and then they go straight home." This state of affairs had sent food prices to high levels. Often there was a scarcity in town because the country people dared not use the roads. The people were in a state of terror. "Take the case of my wife. She finds it very hard to sleep at night. At the least noise she is startled and rushes out of the house thinking that an attack is to be made." Before the night of the raid his little boy had seemed unusually strong and healthy. After Morgan was taken away, the child was constantly calling for him. He was said to have died of heart failure.

Questioned by Commissioner Walsh, witness stated the British Army had not appeared in force and assumed local police powers until after the elections of December, 1918, which he said in effect marked the establishment of the Irish Republic. The Black and Tans had first appeared about six months ago. Military barracks were now established in every large town and city in Ireland. The Black and Tans were taking the place of the Royal Irish Constabulary, which was being depleted by constant resignations, which could not be compensated by new recruits. He estimated that there might be forty Black and Tans regularly stationed in Thurles. The town council had no authority to ascertain the exact number, and a citizen would probably be sent to jail for asking. The units of British regulars there were constantly changing. There was also a new arm of the service, the Auxiliary Corps. "This is a corps that has been recruited from what has been described in the House of Commons as ex-army officers in England. I think they are principally for raiding purposes. They dress in civilian clothes or soldiers' clothes. You can never tell them. They go around in motor lorries every day raiding houses and raiding streets and holding people up." Witness expressed the opinion that if the Irish people would abandon the effort to establish a republic all military activity would end.

Questioned by Commissioner Howe, witness stated that while he had not dared to sleep in his own home since the raid of January 30, he had been at Thurles, but only showed himself on the streets by day. He slept at various places. Over a dozen other persons in Thurles led a similar fugitive existence. In Dublin the night before he sailed the whole block where he was staying was surrounded by Black and Tans. He left the house where he was staying early in the morning, and on the way to the boat his taxicab was held up by Black and Tans. He was searched but let go. He had a passport.

Q. COMMISSIONER HOWE. Has the republican organization in any way, of your knowledge, aided or abetted or encouraged the commission of murders of officers? A. Never.

Q. Has there been any action taken, secretly or in any way, to wreak vengeance upon English soldiers who are implicated in reprisals? A. No.

Q. As conditions are such as you have described, it is but natural that there have been excitable Irish citizens who engage in assaults. A. But they control themselves. In the town of Littletown there was a police barracks. About three weeks ago that barracks was attacked on Sunday afternoon and taken without a shot being fired. The members of the Royal Irish Constabulary, men who were there, were taken out and never molested, and told to wait for a time until the men took away the stuff in the barracks, and they were never injured. That was a case where they captured the whole barracks and had all the men in their hands, and none of them were ever molested.

Q. To what extent have the Irish republicans proceeded to organize by passive resistance? What is their plan? A. They set up their own executive bodies. The arbitration court is an instance of it. In our council, for instance, we have repudiated the authority of England to hold any dictatorial power over us or forbid us to do this or to do that. We have our own Government now, established with what is known as all the public representatives of the people assembled. We have a regular executive organized.

Q. In a word, your organization has appealed to the people of Ireland to make known through their votes their wishes to

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abandon any association with the British Government and to establish a government of their own? A. Yes.

Q. And you were elected to form a town council to notify the British authorities that you would not recognize the British Government but would establish an Irish Government? A. Exactly. We repudiated any connection with Britain.

THE REPUBLICAN POLICE

Q. To what extent have you gone in warning and preventing your supporters and aids from doing violent acts, and what steps have you taken to prevent lawlessness in Ireland? A. We have established in Ireland our own police, who have been very effective in bringing to account those who have been guilty of burglary and assaults and larceny and everything of that sort. They have captured the criminals in several cases of hold-ups of banks in Ireland. The streets of Dublin at night time are policed by our men.

Q. Is there any other authority appointed and named and elected by the people of your town and the towns of the vicinity other than what has been elected by the people with a desire to have a republic in Ireland? A. No.

Q. The only other authority is the British Army and the Royal Irish Constabulary? A. Yes. There is no civil authority now except the republican executive bodies.

Q. There is no other group of civilians, either elected or named by the British Government, seeking to administer to the people politically? A. No.

Q. How many British soldiers or members of the Royal Irish Constabulary in the last two years have been assaulted, killed, or murdered by unknown parties in your vicinity? A. There have been two cases of shooting in or near the town.

Q. COMMISSIONER ADDAMS. In the last two years did the republican police try in any way to investigate, or to protect the constables? A. On the first occasion our police were not operating. That was a good while ago, two years ago. But they have been very active since. I have known of cases of soldiers rescued from the hands of mobs; that is to say, drunken soldiers who are taken and apt to be maltreated. I have known them to be taken and rescued by the Irish police officers.

Q. Are they known as such. A. Oh, no. They act secretly.

Q. MR. F. P. WALSH. What would happen to a man who was known to be acting as an Irish police officer? A. He would be arrested on the spot.

Q. COMMISSIONER ADDAMS. I mean about policing the town generally? A. There is more terror struck into criminals now than ever before. They know they cannot escape from the Irish republican police.

Q. What happens to a man who is taken by your police? A. He is taken to what is known as an unknown destination. If the destination was known the army would swoop down on them.

Q. Has he a regular trial? A. Yes, a regular trial.

Q. What happens to him? You have no jails. A. Sometimes there are jails. A secret house will do. And there are fines. And we order them to leave the district. They may be deported out of that and sent away. Very often they are taken down to the boat and sent away to the other side, for very often they are from the other side.

Q. COMMISSIONER MAURER. To what extent is the town you live in organized, as far as labor is concerned? A. All the labor possible in our town is organized, and then we have a trades council, which consists of elected members from the trades unions.

Q. Is this council molested in any way? A. Yes. A meeting of the Irish Transport Workers was broken up by police.

Q. Are the organized labor groups in sympathy with the republic? A. Oh, every one of them. One hundred per cent. Every one of them.

COMMISSIONER WALSH. There is one question I want to ask the witness. To what extent, if at all, have restrictions been put upon the printing in the press of Ireland of news items relating to the activities of the Republican movement and the officials of your council? A. All the papers have been warned from the English Government that if they publish any news like that they will be suppressed.

SUPPRESSION OF THE PRESS

Q. Have you any specific instances where there has been a refusal to print propaganda in favor of the republican movement? A. On the occasion of the floating of the Republic Loan, any paper that published the advertisement, the prospectus, was immediately suppressed.

Q. Do you know how many papers were suppressed? A. One of the leading papers in Dublin, the *Freeman*, published it and was suppressed immediately.

Q. To what extent has freedom of speech been restricted? A. No such thing as a public meeting is now allowed.

Q. For how long a time has that been in force? A. For eighteen months or two years.

Q. Has there been any interference with the religious rights of the people? A. Oh yes. On my own experience, a fortnight before I left for here. I was leaving a church on Sunday. The whole street was suddenly blocked up by motor lorries and soldiers, and every man coming out of the church was held up and searched.

Q. How many were thus held? A. There must have been thousands.

Q. What were they searching for, arms or documents or something else? A. It must have been arms. I presume arms.

Q. CHAIRMAN HOWE. Much of your testimony related to the early part of this year? A. Yes sir.

Q. Are the conditions improving or getting worse? A. Getting worse. As to that there can be no question. There is now no end of suppression of freedom of speech.

Q. How about the military authorities? Are there more clashes with their men than two months ago or not? A. It is constantly reported in the papers daily that more troops are coming over, coming by thousands.

Q. You mean that troops are being massed by the thousands? A. Yes sir.

Q. Do they come organized as a military expedition or more as a police force? A. It is very hard to place this Auxiliary Corps I spoke of under any head. It is not a police force. It is more for raiding purposes. It seems to be particularly the duty of the Auxiliary Corps to carry out raids on houses.

Q. To what extent have the Irish citizens refused to serve in the British courts? A. They have absolutely refused to obey the summons of those courts.

Q. Is that practically unanimous all over Ireland? A. Yes.

Q. The same thing is true about the Royal Irish Constabulary? A. Yes.

Q. So it is practically impossible for the British Government to get a citizen of Ireland to serve on a jury or in the Royal Irish Constabulary? A. Yes sir, quite difficult.

Q. Are there any other civic bodies where Irishmen formerly rendered service under British authority where they have protested against it now, other than police and jury service? A. Of course all magistrates have handed up their magistracies.

Q. Are there any magistrates now except the R. Ms., that is, the resident magistrates who are paid officials? A. No.

Q. So the protest has practically gone to the extent of every Irish man and woman refusing to hold a position of authority in Ireland under British rule? A. Yes, they refuse to recognize the functions of the other party in Ireland.

Q. Are there any other points you want to bring out? A. There is just one other case in regard to shootings, which happened in Thurles. There was a man named Cleary. I happened to be in Dublin at the time. This night his brother by some means got word not to sleep in his own house. His name was John—John Cleary. So he did not go home and sent word to his mother not to allow his brother to sleep in his house either. Michael stopped out until one in the morning and then

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thought that everything was quiet and safe and proceeded home. At one-thirty there was a knock at the door, and he went down in his trousers and opened it. He was immediately confronted by four armed men wearing trench helmets, and was asked something about whether he knew anything of the killing of a policeman, and immediately he was fired upon. The bullet entered his chin and penetrated the shoulder and came out of his back. He had a very narrow escape with his life. Fortunately, he has not died. He was not the man they wanted. They wanted his brother. The same night the assistant town clerk of Thurles was locked up, about a half hour subsequent to that. He was not at home at the time.

Q. Who was Cleary? What was his position? A. He was a coach builder in the town.

Q. A reputable citizen? A. Yes. He was only a young chap, an ex-pupil of mine.

Q. How old? A. About twenty-three.

Q. Was he a Republican in politics? A. Yes, he was known as a Republican, but he did not have a very prominent part.

Q. What was the date of this shooting? A. I cannot give you the exact date. However, it would be about five weeks ago.

Q. Had any British officer been injured or shot previous to that? A. No.

Q. Was it, to your knowledge, due to any act of assault or murder committed by the citizens of your town? A. We could not find that anything at all had happened.

Q. So far as you know, what was the motive for these British officers to call at this house, either for Cleary or his brother? A. They probably considered that his brother was a member of the I. R. A.,—the Irish Republican Army. They probably intended to take him out and shoot him. He was not there and so they shot the brother instead.

Q. What was the question they asked him? A. Did he know anything about the shooting of a policeman.

Q. Had there been any policeman shot? A. No, not since the preceding January.

Q. COMMISSIONER WALSH. Is there any other testimony?

Q. MR. F. P. WALSH. We have one question we would like to ask him. You detailed a number of coroners' inquests wherein the verdict was that it was a wilful murder. Was there any action taken after the coroner's jury verdict by the British Government? A. No.

Q. CHAIRMAN HOWE. I might say that the cablegrams asking witnesses to come here were sent to officials of towns and cities which were quoted as towns in which outrages of some kind were carried on. The Commission cabled to Belfast and other towns, to the mayors of those towns. It was an impersonal cable rather than a personal cable.

Q. COMMISSIONER WALSH. You personally received a cable from this Commission? A. Yes sir.

Q. So no Irish society brought you here? A. No, I came only at the request of the Commission. I received a cablegram and immediately proceeded the following Sunday morning.

COMMISSIONER WALSH. I ask you because I want it of record that you are brought here and your expenses are paid by this Commission, and you came as a witness for the Commission.

CHAIRMAN HOWE. There are three Americans who have recently been to Ireland who are here and want to testify. The testimony of these witnesses will be conducted by the Commission.

The Testimony of Father English

Father Michael M. English is the pastor of the Roman Catholic church of Whitehall, Montana.

Father English stated that he originally came to this country from Ireland thirteen years ago, at the age of sixteen. When he was twenty-one he took out his first citizenship papers, but he found after a subsequent visit to Ireland that he had to begin that process over again, so he had been a citizen for only one year. He went to Europe in the spring, and was in Ireland, principally visiting his parents, between May 3 and September 1, with the exception of five weeks spent in England and France. His father's house was in the parish of Temple Briggan in Limerick, four miles from the town of Hospital. His father had a farm of sixty acres, and worked it with the help of Father English's brothers. On the evening of September 29, the day before Father English was to leave his father's home to sail from Cove (Queenstown), a military lorry filled with soldiers surrounded the house.

They called all the men out of the house, except Father English, and searched them. When they entered the house Father English demanded that his own effects, which were packed in two grips and a trunk in one of the upstairs rooms, be immune from search, as he was an American citizen. "Your American citizenship does not count here," replied the man who said he was the officer in command. Father English then repeated the following colloquy between himself and the officer:

I said, "I am anxious on my return to America to enter a protest to my Government against this. In order that my protest may be intelligent, I want to know your name, your rank, and the name of your regiment." He said, "I absolutely refuse to give you any information." I said, "Do you mean that I am not going to know who is searching me?" He said, "I will give you no information whatever. I have been forbidden to do so. I cannot do it." I said, "Then I require you to produce your authority for searching me." He tapped his revolver and said, "This is my authority." I said, "That is not enough." He said, "Do you want to see a little more of it?"

The house then was thoroughly searched from top to bottom, including the contents of all clothes and receptacles. Walls, partitions, and floors were sounded, Father English's room was thoroughly gone over, in spite of his further protest, and some farewell letters he had written to friends were taken by the officer. In a coat hanging in a wardrobe in one room a card of membership in the Irish Volunteers made out in the name of Patrick English, one of Father English's brothers, was revealed. Patrick English was placed under arrest. He was subsequently sent to jail for six months. The next morning Father English learned that the house of a neighbor named Kirby, three miles away, had been raided at midnight. According to one of the Kirby family, the raiders asked where Father English lived, and said "We are going to shoot English on the morrow." After Father English returned to Montana he got a letter stating that the evening after he left the Black and Tans surrounded the house and fired on his brothers in the fields. The District Inspector was in command and he asked for Father English. When told that he had started for America the Inspector "swore that if he ever got his hands on me it would be a long time before I ever saw New York." According to the letter, the Inspector took a picture of George Washington from the mantel, put his heel on it, and said: "This is what ought to happen to all these bloody Americans."

Witness stated that while in Ireland he carefully refrained from participating in political matters, and made no speeches.

WITNESS. In traveling around to visit my friends it was an ordinary experience to be held up by the military on the roads. A motor lorry would be alongside the road surrounded by soldiers, who searched everybody in the car except myself, and then searched the car, too, very thoroughly. I never was searched, although I was held up many times with others who were searched. These lorries drive along the principal roads almost every day, going to and fro at a high rate of speed. The lorry is a large truck with an automobile engine. It seats between twenty and thirty. In the large ones they have machine guns, and soldiers or Black and Tans sitting along the side and in the back with rifles at the ready. These soldiers and Black and Tans frequently fire on cattle or horses and destroy them on their trips around the country. I will give one example of which I have personal knowledge. About a half mile from my place lives a neighbor in a cottage by the road. He has about a half acre of ground. His hogs are generally along the road by the

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house. The road itself is about twenty-five feet wide, and on either side there is a hard surface. Along the side by the hard surface is a grassy surface about eight or ten feet wide on either side. One afternoon a lorry was passing along and two pigs were on the hard surface between the road and the fence. It was a big heavy lorry filled with soldiers. The lorry turned in off the road and ran over the pigs, breaking the back of one and the legs of the other, so that they had to be butchered. I came along about a half hour after this, and the young man showed me that the lorry had turned off the road and ran almost into the fence in order to run over the pigs.

On the night of the fourteenth of August there was a shooting in the town of Hospital. On the morning of Sunday, the fifteenth of August, I went from my own place to the town of Hospital, and there I found the people in a state of terror. I discovered upon investigating that upon the previous night a number of soldiers had entered the house of a man named Lynch, Patrick Lynch, a harness maker, a single man forty years of age living with his two sisters and a blind father. These soldiers had entered his house at eleven-thirty on Saturday night, the fourteenth of August, while they were on their knees saying the rosary. They dragged him—or rather they first asked him to come along. He said, "Just a minute until I get my cap." They said, "You will not need your cap in the place to which you are going." They took him out to the square and shot him.

Lynch, witness stated, was a harmless man, not in full possession of his faculties. He had committed no overt act, and it was presumed his assassins might have shot him by mistake for some other man. The coroner's jury brought in a verdict of wilful murder by the military stationed at Hospital.

Father English said that on August 22 he had inspected the wreck of a large creamery, employing about fifty or sixty persons, which had just been partially destroyed by bombs in a raid of the Royal Irish Constabulary. The creamery was owned by Sir Thomas Cleves, a Unionist in politics. As a result of the destruction the engine plant of the creamery was a total wreck, and farmers were deprived of their market.

In Limerick Father English had occasionally noticed considerable numbers of the Black and Tans under the influence of liquor. He had heard it reported that drinks were served to them in the barracks, especially before a raid.

Witness read a copy of an address to his men made by Divisional Inspector Smyth of the R. I. C. of Listowe in Kerry about July 5. There were sixteen men in the Listowel barracks at the time and they demurred at the inspector's orders and subsequently made public the inspector's speech:

"Well, men, I have something of interest to tell you, something that I am sure you would not wish your wives to hear. I am going to lay all my cards on the table. I may reserve one card for myself. Now, men, Sinn Fein has had all the sport up to the present, and we are going to have the sport now! The police have done splendid work, considering the odds against them. The police are not sufficiently strong to do anything but hold their barracks. This is not enough, for as long as we remain on the defensive, so long will Sinn Fein have the whip hand. We must take the offensive and beat Sinn Fein with its own tactics. Martial law applying to all Ireland is coming into operation shortly. I am promised as many troops from England as I require; thousands are coming daily. I am getting seven thousand police from England. Now, men, what I wish to explain to you is that you are to strengthen your comrades in the outstations. If a police barrack is burned or if the barrack already occupied is not suitable, then the best house in the locality is to be commandeered, the occupants thrown out in the gutter. Let them die there—the more the merrier. Police and military will patrol the country roads at least five nights a week. They are not to confine themselves to the main roads, but take across the country, lie in ambush, and when civilians are seen approaching, shout 'Hands up!' Should the order be not obeyed, shoot and shoot with effect. If the persons approaching carry their hands in their pockets or are in any way suspicious-looking, shoot them down. You may make mistakes occasionally and innocent persons may be shot, but that cannot be helped, and you are bound to get the right parties sometimes. The more you shoot, the better I will like you; and I assure you that no policeman will get into trouble for shooting any man. Hunger strikers will be allowed to die in jail—the more the merrier. Some of them have died already, and a damn bad job they were not all allowed to die. As a matter of fact, some of them have already been dealt with in a manner their friends will never hear about. An emigrant ship left an Irish port lately with lots of Sinn Feiners on board. I assure you, men, it will never land. That is nearly all I have to say to you. We want your assistance in carrying out this scheme and wiping out Sinn Fein. Any man who is not prepared to do so is a hindrance rather than a help to us, and he had much better leave the job at once."

One of the I. R. C. answered him: "We are Irishmen. It is evident that you must be an Englishman. We will not obey these orders." Smyth turned to the others and said, "Arrest this man!" The others refused and said, "If this man is arrested, this room will run red with blood." This matter caused considerable comment even in England.

The Testimony of John F. Martin

John F. Martin is an attorney of Green Bay, Wisconsin.

Mr. Martin, a native-born American citizen, had visited Ireland for one week in September in connection with a trip he made to France and Belgium on an official mission representing the Supreme Council of the Knights of Columbus. He described a trip by automobile from Tipperary to Limerick:

"We went along to Limerick Junction and Oola and suddenly came across a great stone wall built across the road at Pallas. This stone wall was about six feet high and three or four feet thick. An opening in the center just wide enough to permit a car to pass through. To the right-hand end of it, it circled around a two-story house built up close to the road. We got within perhaps a hundred feet of this stone wall when we saw six or eight men in uniform back of the wall. Three of them stepped to their rifles, which were resting on the wall, and one to a machine gun. One man was parading on the rather flat roof with a rifle, and all four were trained directly on us. The men behind the wall were aiming at us, and the man with the machine gun as well. They yelled at us, accompanied by the command to halt. I might suggest that less would have stopped us. After they had us thus covered, three men in uniform came out to search us. They did a very thorough job, searched the car, asked some questions, particularly of the driver. They wanted especially to learn where we were going and if we expected to come back through there that night. They finally let us go with the statement that we must get back by nine o'clock if we expected to get through there. We decided we would be back before nine o'clock."

At Limerick they drove about the streets for an hour, and he observed thousands of soldiers about. On one street they were held up at the point of a revolver by "six or eight large fellows dressed in black uniforms." They wanted to arrest the driver because he was not the owner of the car, and the permit to drive was made out to the owner, but on the representations of Mr. Martin and a Canadian friend, who accompanied him, the young man was finally released. On the return trip soldiers in a lorry halted them and searched them on the road. The next day, at Killarney, witness found that the largest hotel had been commandeered as a military barracks and was surrounded by barbed wire entanglements. He witnessed a raid, by eighty or ninety soldiers, on the Presentation Convent. In Cork he saw more lorries than anywhere else. "They were driving through the streets at a rapid rate of speed, sending the people helter-skelter, and promiscuously bent on frightening them. The rear part of the lorry has a body about three feet high. The men

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were standing looking over the top of the body, with their rifles ready. We were told that night that two men were shot because they had not complied with the 10 o'clock curfew law."

There was in Ireland a state of terror among the people, but a unanimous determination to stick the thing out until they got their independence. The people were forming their own civil processes and the republican courts were functioning effectively.

The Testimony of Father Cotter

The Rev. Mr. Cotter is pastor of St. Lawrence's Church, Ironton, Ohio.

Father Cotter had been a priest for thirty-eight years. He was born in Ireland and came to this country at the age of fifteen. He was on the editorial board of the *Columbiad*, the Knights of Columbus organ. He visited Ireland for eight weeks ending September 23, to study conditions there. He sought particularly the opinions of Protestant relatives and friends in Ireland. He visited such persons at Enniskillen, in the north, and at Ballyeagan and Balingarry, and he found that there were no religious differences in the republican movement. Among those he visited were the Rev. William Stewart, an Episcopal rector in Enniskillen, who married Father Cotter's niece; Darrell Figgis, a Protestant author; and Mrs. Bryce, sister-in-law of Ambassador Bryce. Everyone he talked with was an ardent republican. Some of the Protestants he met had had property destroyed as a result of their republican sympathies. In Cork he saw the lorries filled with armed soldiers making their demonstrations along the main thoroughfare each night at the curfew hour, sometimes accompanied by tanks. "The night was made hideous with shots and shouts." Because a hand grenade was found on the sidewalk in one street, a newspaper office in the neighborhood was raided by the military and also a shop, where goods to the value of one hundred pounds were destroyed. In Queenstown, on Regatta Day, he saw little boys compelled to hold their donkey races and other games between lines of soldiers with fixed bayonets. In Limerick a house occupied by a woman and two daughters was raided on five successive nights at 2 o'clock in the morning by Black and Tans. On the last visit the men were said to be drunk. In Limerick after two drunken soldiers had been relieved of their revolvers, a whole street in the poorer section was raided in reprisal. Father Cotter visited the people and found "the windows all broken and everything smashed." In the course of this raid a beautiful church window was destroyed. At the railway station in Galway, he saw a Black and Tan "firing his revolver in all directions" near a crowd waiting for newspapers on a late train. One boy was killed with a bullet through the temple and two persons were injured. A citizen finally snatched the revolver from the man's hand. Two hours later, from the window of his hotel, Father Cotter saw about 250 soldiers and police gathered outside of the hotel. For two hours they shot through the streets. Next day he learned that in addition to the shooting they wrecked the office of the Galway *Express*, a newspaper of republican sympathies, set fire with petrol to the house of an aged woman, and tore "a man named Quirk from his lodging, strung him up to a lamp post, and shot him nine times below the belt, literally disemboweling him."

A Mr. O'Day, an attorney, inaugurated an informal inquiry into the destruction of the Galway *Express* plant, and the next night his office was bombed. Father Cotter was in Dublin when Mr. Jack Lynch, an officer of the republican government, was killed in the Exchange Hotel. Here is the story as he heard it:

"Six soldiers came to the door of the hotel at 2 o'clock in the morning, asked to see the register, looked for a name and went to a room. They left. Nobody heard any sound. Some time afterward two policemen came in and said to the night clerk: 'We are going to guard room number six, where a man lies, dying. The military told us to come there.'

"All the next day they stood guard at that room and did not even admit the proprietor of the hotel. The man had been shot in the throat. He had committed no outlaw act. He was merely an officer of the Irish republican movement."

In Tuam he saw a draper's shop, the finest shop in the place, that had been destroyed by the police. The wife of the proprietor escaped from the burning building with a child in her arms, and a policeman with loaded revolver ordered her back. She finally climbed over a rear wall and got off, but was insane as the result of her experience. Another woman, when her husband's house was raided at night, "was made to walk barefoot over the back yard that was full of glass." She was within a week of her confinement.

"Ireland has been generally devastated," declared the witness. "Her railroads have been stopped by Sir Eric Geddes. The way they stop them is to send soldiers with loaded guns to the trains; and then the train does not start. The engineers refuse to run them for military purposes. The creameries, you have heard about them being destroyed. It is a plot to destroy the economic life of the people."

Hearings of Friday, November 19

The Testimony of John Derham

John Derham is a Town Commissioner of Balbriggan, County Dublin, Province of Leinster.

Balbriggan, witness stated, was an industrial town of some 2,500 inhabitants, twenty miles from Dublin. There were two main factories, manufacturing Balbriggan hosiery, one employing 250 to 300 persons, the other 120 persons. In addition the larger factory gave work to between 500 and 600 persons in their homes, and the smaller to between 300 and 400. The hosiery industry was the backbone of the town and employed people from the surrounding territory. Commissioner Derham was one of nine commissioners elected January 15, 1920. The result gave three Republicans, two Labor Party men, two Nationalists or Redmondites, and two Unionists. The place had hitherto been a nationalist stronghold. The nationalist and unionist members were not in sympathy with the republican movement, but the labor men indorsed it. Derham's son James, elected on the labor ticket, was chosen chairman of the council. James had been in Mountjoy Prison since June, having been arrested for riding a bicycle at night. There was a police barracks in town with from ten to thirteen members of the R. I. C. At a place called Gormanstown, three miles to the North, a large aerodrome had been built in the latter days of the war. Since July this had been used as a training place for Black and Tans, and there were supposed to be between 1,500 and 2,000 men. The population was largely Catholic. There were some sixty or seventy Protestants in the town. There were a Catholic church and a Protestant chapel. Members of the two sects mingled together amicably. The election was orderly.

Derham had lived in Balbriggan for thirty years. He was married and had eight children, all of whom still lived at home. He kept a licensed public house on Clanard Street on the Square. It was a large, two-story stone house, with the bar and public and private sitting rooms on the ground floor, and the family sleeping quarters upstairs. His son John came in at 9:30 on the evening of September 20 and said that two Black and Tans had been shot at a public house known as the New Bar, kept by a Mrs. Smith, who lived alone with her daughters. The Smith Bar was occasionally patronized by the Black and Tans. Later, as Derham heard the story, it appeared that Inspector Burke of the R. I. C. had just been promoted, and he came down from Dublin with some Black and Tans, in two motor cars, to celebrate the event with his brother, who was a sergeant in Balbriggan barracks. The party, eight or nine persons in all, went to the Smith bar and stayed there drinking for about an hour. Finally the barmaid refused to serve them more, on the ground that they had had too much already. They went behind the bar to help themselves, and the barmaid thereupon sum-

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moned the local R. I. C. from the barracks. A squad arrived, but seeing the Black and Tans inside, they went away. By this time there was considerable uproar in the place. Originally there had been several civilians there, but they had all departed. Shortly afterward the party broke up. Just after Inspector Burke and his brother had left, the inspector was mortally wounded and his brother hurt by shots fired apparently from inside the place. The Black and Tans asserted that they had been shot by some civilian who entered unseen by a back door. Derham had no idea who did the shooting. The wounded man was removed to the barracks. Subsequently the military conducted an inquiry. The verdict was "shot by persons unknown."

As soon as Derham heard from his son that there had been trouble in the town, he closed his place and ordered the porter to put up the shutters. About 10:30 o'clock his son Michael came in. The family retired for the night. As Derham was going to bed he saw four motor lorries come rushing along the street, filled with Black and Tans. They stopped at the barracks, which was about fifty yards from his place. After they stopped, ten or twelve of the Black and Tans proceeded along Drogheda Street. Derham listened at his bedroom window, and presently he heard glass breaking up the street and then shouts and some shots. He told his wife and the children there was a raid on and they must go into the back room and dress there quickly without a light. The shouting and the sound of smashing glass quickly drew nearer, and finally he heard them breaking in the shutters and windows on the ground floor of his house.

BALBRIGGAN: THE NIGHT OF SEPTEMBER 20

THE WITNESS. The yelling was something fearful. It took them three or four minutes to break into the front. Then they started breaking up the shop and the two rooms below stairs. Then the excitement was so bad in the room that I got a candle.

Q. The excitement among your own family? A. Yes, my wife and one of the daughters. I heard them coming upstairs then and break open the parlor door. Immediately I heard, "Hands up or I will shoot." So I put my head out through the door and said, "Come this way, for I have nothing."

Q. COMMISSIONER WALSH. Were there any firearms or weapons in your house? A. Not a thing. Not a thing. He then said, "Come out or I will shoot," so I looked out, and he put the rifle up to his shoulder. I ducked back and told him to "come this way, for I have nothing." Then ten or twelve of them advanced up to the front room. I said, "Spare the children." And he said, "This is the man. Take him." And my wife said, "Where he goes, I go," and she caught me. Then I was taken around to look at the family, and I got a blow in the jaw from a man's fist—I did not see the man and was pushed down the passageway. They stopped there for about a minute, perhaps, until more Black and Tans came up the stairs. I was then taken downstairs. There was none of our family fully dressed. The wife had no stockings on; the children had no hats or boots—shoes; I had not hat myself or shoes. I was taken downstairs and was going through the hall door when the policeman turned to me and said: "No, you are going out the way we came in," and he brought me out through the shop. When going that way I saw that the two rooms were packed with Black and Tans breaking in there.

Q. About how many would you say there were down there? A. At least seventy on the premises before I got through.

Q. COMMISSIONER MAURER. Were they drinking any of your liquor? A. I do not think so.

Q. COMMISSIONER WALSH. What was the condition of your barroom when you got downstairs? A. Everything was completely smashed. The glass was about a foot high back of the bar.

Q. COMMISSIONER MAURER. Did they destroy any of your liquors? A. They did. But not all. As soon as they got me to the shop door I was caught by the neck and pulled into the path. I then got the blow of a rifle in the side of the head. I was taken across the street and struck four times and asked, "Where is your bloody son?" A voice said, "Take him to the Green."

Q. What is the Green? A. The Fair Green. I thought he meant to take me there for shooting purposes. Going across the street I was stopped then and searched by a Black and Tan. He did not take anything from me. He made me put my hands over my head, high up, for about a minute. He then said, "Sit down." I was going over to a door step to sit down. He said, "Come back here and sit down on the curb, you dog." I sat down on the curb stone and there were seven rifles pointed at me. I remained there for about five minutes more. A man then asked me my name, and I told him. I then shifted my position a minute, and he said, "Sit down there, you dog."

Q. COMMISSIONER WALSH. All of this time there were seven rifles pointed at you? A. Yes, all that time there was seven rifles pointed at me. I was being led to the barracks when a big man pointed a revolver at my ear and said, "I will blow your bloody brains out."

Q. All this time did you make any protest? A. No; I never spoke. He told me to get in on the path. I was on the road. And immediately I was struck on the shoulder and tumbled down with the butt of a rifle. I got to the barracks then. It was about thirty yards away where all this was happening. He said, "Put this man in the day room." The man guarding the door said, "He cannot go in there. There is a man dying in there." I was told to stop on the porch of the barracks and remained there for about five minutes. The man then said, "Take this man to the hotel." So I was brought to the hotel. Lawless—the second son of Mr. Lawless—was there with a child three years old with bronchitis; and another little child about four.

Q. Were these Lawless children driven out of their home? A. Yes, they were driven out with their father. He was in his bare feet, and the children were in their night clothes.

Q. What sort of weather was it? A. The weather was very cold. It was frosty, too. The grass was wet. There was no rain, though. I got into the hotel. When I got there, I got the remainder of my family with me, with the exception of Mike. I stopped there until half past six in the morning.

Q. COMMISSIONER WALSH. During the night what could you see from the hotel as to what was going on? A. I could see the glare of the fires. I could see that two houses were gone altogether. There was yelling, burning, and shooting all night.

Early in the morning witness noticed that citizens were walking on the streets, and as no police were guarding him, he went out. As he approached the barracks he was told that two of his neighbors, James Lawless, the local barber, and John Gibbons, a dairy proprietor, had been killed during the night by the Black and Tans. Their bodies had been found on the road, pierced with bayonet wounds, and neighbors had carried them down a side lane. Lawless, who was forty years old, had a wife and seven children. Gibbons was unmarried and lived with his mother and three sisters. Lawless's house had been the first attacked in the raid, and he was taken to the barracks. According to the story Derham got from the Lawless family, Black and Tans visited Lawless at the barracks at 1:30 a. m. and demanded that he tell them who shot Inspector Burke. He said he did not know. They said if he did not give them the truth he would be shot at 2:30. Subsequently he was taken out and shots were fired, apparently not to hit him, but merely to frighten him. About this time Gibbons was also brought in and similarly threatened. He declared that he knew nothing about the murder of Burke. He admitted he was secretary of the local Sinn Fein Volunteers. A pretense of shooting him was made, similar to that staged to frighten Lawless. At 4:45 they were both taken out to Quay Street and later their bodies were found pierced with bayonet wounds. There were three wounds in Gibbons's neck and several across the body. Lawless had bayonet wounds nine inches long on each thigh. No bullets had been used. Derham saw the bodies lying in the lane and then he passed on to

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where his house had stood. It had been burned to the ground. "The walls were all tumbled down. Not the makings of a match were left." Virtually all the family clothing had been left behind, and all their household effects were lost.

Next Derham went in search of his son Michael, who was missing. He learned that the boy had been lying in a field, nearly naked and horribly bruised about the head and face, and had been quietly taken to the house of a friend a mile out of town. Then Derham went and heard the young man's story. Michael had interposed when the Black and Tans were choking his brother John, a boy of fifteen, during the raid on the house. They immediately flung Michael down and began beating him about the face and body. In great torture, he begged them to shoot him and end it, and they said shooting was too good for him. He turned his face and was knocked unconscious by a blow on the side of the head. When he recovered consciousness he was alone and the house was burning. He called for help, but none came, and finally he managed to get out and across a wall into a neighbor's garden, and so into the open country.

There were twenty-five residences burned in the town that night and totally destroyed. Seventeen of the houses were on Clanard Street alone. Four public houses and two groceries were destroyed, and the second largest factory, throwing out of employment 120 persons who worked in it and 300 persons who did piece-work at home. The place was owned by an Englishman, in London, and was valued at 100,000 pounds. Most of the people whose homes were destroyed worked in the factories. Petrol stolen from a garage assisted in the work of incendiarism.*

One of the places burned was a dairy run by a Mrs. Cochran. When the raiders entered, Mrs. Cochran ran into the yard leaving behind her two little boys of ten and twelve years. The Black and Tans made the boys dress and took them through the house to witness the smashing of the household effects. When they came upon a religious picture, they would make the children watch while they thrust their bayonets through it. After this sport, they led the children down the street "to see Derham's house afire." Then they took them back to their own yard and told them to sit on a hay rick there "to warm themselves." The Black and Tans thereupon poured petrol over the rick and set fire to it, and then burned down the Cochran house.

Derham was asked what the people of the town did that night.

A. That was a night of terror. Over two-thirds of the people were in the country all that night.

Q. Where did they sleep? A. In the fields. They slept anywhere, some of them in ditches filled with barbed wire all night.

Q. They left things behind them? A. Yes, everything. Some of them went out only with their night dresses and bare feet.

Q. Men, women, and children? A. Yes, everybody.

Q. Many children in the town, I suppose? A. Yes, many.

Q. Was there any other damage done? A. In that Clanard Street I spoke of, they broke the windows of fifty houses in that street, along with burning seventeen houses.

Q. Did that state of terror continue for some time after that? A. I think it was Sunday before they settled down.

Q. And this occurred on Monday night? A. Yes.

Q. For the balance of the week, where did the people go? A. They spent the night in the country. They did not wait until night to go. When four o'clock or evening came, you would see them going away to the country, stopping in the farmers' stables or barns or hay lofts or anything they could get; or in the ditches. Two-thirds of the people left the town during the week.

Q. Afraid to stay over night? A. Yes, because they had it all day. They had these Mosley engines running through the town full of Black and Tans sitting with their rifles at the ready all the time. If they saw a crowd at the corner, they would bring up their rifles and fire shots.

Q. Were they firing shots all the time? A. They were. On the Wednesday after that they fired in through the grocer's window and took half his collar away, just like that (indicating coat lapel). At the same time they threw a Mills bomb in the butcher shop on the side street, and a piece went through an apple in a young lad's pocket. The next grocery shop they fired and destroyed the scales. And another place they fired into a crowd of young ladies.

Q. Going along the road, what is the situation? A. They go along the road with these big lorries of three to five tons at a dangerous speed.

Q. Do they fire along the road? A. Oh, constantly, at the animals. Take Mr. McCullough: the old gentleman was there with his sons, and they fired on them. Another place they cut the tails off of four pullets, and one of them after died.

Q. Did they do any other damage? A. In the house next to me there was a public house, and they took the bottles away.

Q. Did they do any drinking? A. No, not at this place. The place opposite me, at Connolly's, was where they drank.

Q. What was the situation at Connolly's? A. Connolly had two large glass windows, and they broke these with the butts of their rifles. The place was well lighted up by the fire from my house opposite, and they drank to their fill before the place was destroyed. Two grocery stores they looted and robbed, threw the tea and sugar and soap and candles and everything on the floor about three feet high; tramped over it; and pulled things out in the passage to destroy what they did not set fire to.

Q. Did you see the stuff there the next day? A. I did.

Soon after the night of terror three elderly persons and two children had died. "The fright and exposure was largely to blame for it." There was a movement on to try to get reparation from the British Government through civil processes. The editor of the local paper, the *Freeman*, was under arrest for criticising the actions of the Black and Tans in the country. No public meetings were allowed in Balbriggan. Present conditions had caused much hardship throughout the countryside. The country people feared to travel on the roads. At present two of his sons were "on the run." During the day they went about, but at night they hid. "It is the night time they are afraid of. You do not want to be with friends for you are liable to get the whole place broken up for them. And if you stay in your own home, it is sure to be broken up." It was planned to give Lawless and Gibbons a public funeral, to have the flag of the Irish Republic on the coffin, and a bodyguard of Irish Volunteers. But through some of the clergy word was brought that if this plan was carried out, the Black and Tans would come that night and wipe out the town. So no funeral was held.

The Testimony of Mrs. King

Mrs. Agnes B. King, from the town of Ironton, Ohio, is a native born American, a widow with three children, who went to Ireland, primarily, to visit the birthplace of her parents in Cork (her father was a Protestant, her mother a Catholic). She left Ireland September 3, after a stay of eight weeks. At Templemore as she was going to visit a church on a Saturday evening, she got her first view of terror. The lorries were coming into town at full speed. "This was my first view

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* In the House of Commons, Oct. 27, the following colloquy took place.

Sir Hamar Greenwood: In Balbriggan that night nineteen (sic) houses of Sinn Feiners were destroyed or damaged, four public houses were destroyed, and one hosiery factory, which employed 200 hands, was also destroyed. I admit at once that it is difficult to defend the destruction of that factory.

Lt. Com. Kenworthy: Two men were also killed.

Sir Hamar Greenwood: And two men were killed.

Mr. Asquith: Murdered.

Sir Hamar Greenwood: If the right honorable gentleman gets any satisfaction out of it, I will say "murdered."

Concerning the destruction of Balbriggan, Sir Hamar Greenwood also stated: "I myself had the fullest inquiry made into this case. I will tell the House what I found. I found that one hundred to one hundred fifty men went to Balbriggan determined to avenge the death of a popular comrade, shot at and murdered in cold blood. I found it impossible out of that one hundred and fifty to find the men who did the deed, who did the burning. I have had the most searching inquiry made."

Commenting on the above, the London *Nation* of Oct. 30 says: "Two facts are absolutely plain from this statement of Sir Hamar Greenwood. This force is organized in such a way as to make it a public danger, and the 'searching inquiries' made by Sir Hamar Greenwood are absolutely valueless."

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of lorries. They were bent on terrorizing the people. The drivers were completely white with dust, they were going so fast. The lorries were all filled with soldiers. The guns were all at attention. I clung to my daughter and my niece, and I think we said a few prayers, for it had been said in Templemore that day that they were bent on mischief. The driver wanted to have a little fun, for he swung the first lorry near to the curb, and the muffler blew off just as they passed us." During the night, shots were fired in the Square. At the hotel that night the dresser was placed in front of her bedroom windows to keep out stray bullets. This she found to be the custom everywhere she went. At Cork she saw great evidences of military activity. As she arrived, there was a raid on. Many lorries and hundreds of soldiers were engaged in the raid, the soldiers covering every angle of the streets with pointed rifles. They also had Lewis guns and tanks. Mrs. King was astonished at the apathy of the population. That night, after the curfew hour of ten, peering from a corner of her hotel window, she saw the soldiers holding up and searching citizens on the streets. The next morning, from a hotel window, she started to take a snapshot of the military massed on the square, but a British civilian warned her she would be shot if the soldiers saw the camera.

At Bantry she found the place like a devastated town, with business at a standstill, and no lights on the streets at night. There had been frequent raids and bombings. Most of the young men were on the run. Conditions there were so terrifying that she spent only one day there, but during her stay the military commandeered the workhouse, turning out the aged inmates and the twelve sisters in charge. Mrs. King talked in Bantry with a woman, one of whose sons, a hunchback, between 19 and 20 years old, had been shot dead by the military a few days before. The soldiers, or police, had visited her house a few nights previously, looking for another son, a volunteer, who was "on the run." When she opened the door to their knock, the woman said, they jolted her candle from her hand and went upstairs. She hurried after and found the boy on his knees, praying before the raiders. "They shot him between his uplifted hands." A Protestant citizen of the town, a Unionist, had written to the local newspaper protesting against this murder. The next night his house was burned down. Witness saw the ruins.

At Youghal, a seaside resort, where Mrs. King went for rest, she found military lorries patrolling the streets day and night. There was a great deal of destruction, and she witnessed a raid on several houses. Her arrival in Galway was rather late at night. There was quite a crowd at the station waiting to get the newspapers from the train. Among others she noticed a man in a peculiar uniform, which she could not place. Suddenly he whipped out a revolver and began shooting at random in every direction. A young boy was hit. He died the next day. Another boy finally jumped on the soldier's back and bore him to the ground. In the scuffle the soldier was shot. It was subsequently reported in the town that this outburst was a "plant" in order to afford a pretext for a curfew law in Galway. Mrs. King put up at a hotel where many British officers were staying. There were rumors of a prospective raid that night, so she went to bed without undressing. Presently she heard the tramp of soldiers on the street. She saw some 250 of them, fully accoutered, lined up outside the hotel. She was particularly nervous because of some compromising papers in her possession. There was a letter of introduction from Countess Markievicz to General Barton, the distinguished British officer who had been converted to Sinn Fein and was then in Pentonville prison. She had also a report of the Dail Eireann, and a card of Lord Mayor MacSwiney, and some other personal letters. In her terror she called to a man walking in the corridor, and he helped her get rid of these papers. All this time there was constant shooting going on just outside the door of the hotel, volley after volley. She stayed alone for a while, but finally appealed for protection, to two British officers she saw in the hall. "You may go into your room," said one. "Nothing will happen to you. You are an American. They are only taking reprisals out in the street." Mrs. King asked what he meant by reprisals. He said: "They are shooting some of the townspeople that deserve shooting." The next morning she saw a house that had been burned. They had attacked the place and broken the windows before burning it, and several women had had narrow escapes. The house was attacked because a young man named Quirk, who was "on the run" from Cork, was taken out and shot. The offices of the Galway *Express* were completely wrecked.

The next day the *Express* managed to get out a little bulletin edition, which witness placed in evidence. It read:

"An unparalleled outbreak of crime took place in Galway this morning. While definitely charging the Royal Irish Constabulary with full responsibility for the murders, we feel it incumbent upon us to counsel the people of Galway to remain calm under this terrible provocation. We regret that under the circumstances we cannot make any announcement of the exact date on which we will resume publication. Remember, Galway, men and women, the watchword is, KEEP COOL."

At a place which witness did not wish to name she learned there was a great deal of whiskey consumed in the police barracks and much fighting between the R. I. C. and the Black and Tans. In Dublin, where she was arranging her Irish itinerary at the police station, the five officers she saw were all under the influence of liquor. Their eyes were bloodshot, their faces red, their enunciation slurred, and their attire disheveled. At Limerick there had been a raid. In a street called Carey's Row, in the poor part of town, there was not a single house without signs of devastation. The main thoroughfares were constantly patrolled. Of the forty or fifty towns she visited only one was comparatively peaceful. That was a little watering place called Liadoonvarna, patronized by British officers.

Witness was in Balbriggan the day following the wrecking of the town. There were hundreds of Black and Tans on the roads. "As you approached the town, you met the people fleeing, with sometimes pathetic amounts of baggage in their hands. I met many women with children huddled about their skirts, fleeing from the town. I witnessed all the burned buildings that have been spoken about this morning. The terror of the roads is quite indescribable."

The Testimony of Francis Hackett

Francis Hackett is associate editor of the *New Republic*.

Mr. Hackett was born in Ireland and came to the United States in 1900. He was not a Roman Catholic. He had spent eight weeks in Ireland, returning at the end of September. During this period he gathered material on Irish conditions for the New York *World*. He had covered about two-thirds of the country, visiting all the principal towns. Witness had previously visited Ireland in 1912-1913.

In Ireland witness investigated first of all the facts about military rule. He could get no official figures as to the number of British troops in Ireland. The general belief in Ireland placed the number at from 300,000 to 400,000. Arthur Griffith, acting president of the Irish Republic, told witness he had proof that there were 130,000. In addition there were some 29,000 police and 7,000 or 8,000 Black and Tans. Questioned about the murders of police, witness said the numbers given in the House of Commons were about 120 killed during the last few years. Sinn Fein figures gave numbers of civilians killed by the police before the first policeman was murdered. In 1917-1918 these statistics, which witness submitted in evidence, charged to the police a dozen murders, about 20,000 raids, the suppression of newspapers, etc., all previous to the killing of any police officers. "Then the killing of police began." Sometimes they were ambushed and killed, sometimes killed in an open clash with Sinn Feiners, sometimes they have been killed after resigning from the force. In the last case, it is understood that they are slain by the Black and Tans.

"I went to the Sinn Feiners and said: 'Why are these police

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killed? Why was Allan Dale killed in Dublin, that old magistrate?' Certain Sinn Feiners said, 'Oh, it is all done by impetuous young people.' But as I got down into contact with responsible men, they said—many of them said: 'This killing of policemen is a necessary act of justice. As far as we know, no policeman has been killed who has not been tried. If a policeman commits murder or something similar to murder, he is given a trial without himself being present, and he is punished.' I asked for instances, and I was given the instance of Lord Mayor MacCurtain. I was told by several Sinn Feiners —it may be folklore but I give it for what it is worth—I was told by responsible men that the policemen who killed or carried out the murder of Lord Mayor MacCurtain were numbered; that one was killed on his way into a chapel in Cork, and three more had been killed around Cork; and that another remained to be killed, and that his name was Swanzy, and that he had left Cork to go to Lisburn; and a few weeks later policeman Swanzy was killed as he was going out of church in Lisburn. And in retaliation the Orangemen of Lisburn set fire to the Catholic section and did damage to the extent of two or three hundred thousand dollars. That I give you as an instance of a police murder.

After citing some instances of this struggle of the police to break down the will of the Irish Republicans, witness said:

"The English policy in this question is very important. The English maintain that they are holding up law and order in Ireland. They maintain that all those instances that you have heard about in the last two days are instances to be explained by rational processes, and that they stand for law and order. The results of my investigation are this: the English maintain that they are standing for law and order, and that the Sinn Feiners are a band of extremists; but at the same time they are pursuing a policy of provocation and assassinations and murders, and make no effort whatever to bring to book those members of their organization who commit murders and assassinations, and are making every effort to throw the onus of disorder and lawlessness on Sinn Fein. Sinn Fein, on the other hand, wishes to have peace in Ireland, to have their own government perfected, but are constantly running into the lawlessness and oppression of the old police, the Black and Tans and the military."

Witness read a letter written to the London *Times* October 28 by Sir Horace Plunkett, head of the cooperative creamery movement, in which he stated that for six months without result he had been furnishing evidence to the British Government in Ireland on the destruction of creameries. The letter said, in part:

"Space forbids the production in your columns of the evidence in the possession of the Government, partly from the records of their own courts, partly furnished by us. It will suffice here to say that the unfortunate victims of these outrages have only one means of proving their loss. They have to bring suit under the Malicious Injuries Acts before the County Court Judge at Quarter Sessions. If the judge is satisfied that the injury is malicious, even if it is proved beyond all possibility of doubt as it was in a trial which I personally attended, that servants of the Crown destroyed the property, he has to charge the amount of compensation awarded (in this case £12,349) on the rates. In other words, the victims of the outrages, and other innocent persons, have to pay for damage inflicted upon the community by the guardians of the law.

"Everybody in Ireland knows, and the Government knows, that these acts are deliberate reprisals by servants of the Crown. Unless discipline has hopelessly broken down, the Government could easily identify the criminals. It is scandalous that for lack of this identification such a crying injustice should go unredressed. We have asked for an open and impartial inquiry in Dublin, where witnesses can be protected. To say that this would be a mere conflict of perjury is untrue as regards the evidence we are ready to produce, and is not complimentary to the peace officers of the Government. As I write a telegram reaches me reporting the burning of yet another creamery."

WITNESS. There is evidence that there is justice going on in Ireland from the Irish side. Sir Hamar Greenwood himself said that courts are going on in Ireland conducted by the Irish people. Not so much can be said for the Government courts in Ireland, even where they have not been superseded by courts martial. In the north of Ireland, a man found with a revolver is fined two-and-six-pence or three shillings. But in the south of Ireland I have found no case where a man found with arms is given less than two years' imprisonment. Worse than the assertion that the courts martial have the full confidence of the Irish people are the constant assertions that the British Government is working in Ireland in the interests of the whole people. I would like to give you the analysis of the vote in 1918 and in 1920 to bring out the point whether the *de facto* Government of Sinn Fein has the confidence of the people or has not. I think this material is absolutely trustworthy and very closely analyzed. It shows that the Sinn Fein party secured nearly seventy-five per cent of the seats on the county councils at the last election.

Q. COMMISSIONER WALSH. What election is this? A. 1920. The total number of county council seats in Ireland is given as 699. Of those county council seats Sinn Fein secured 71.9 per cent; Sinn Fein and Labor, who work together, secured between them 80 per cent. Putting in with them the Ulster Nationalists, who can be put in as believing in self-government for Ireland, the number of seats won is 84 per cent. Of course that is not unanimity. I personally found no unanimity in Ireland on the subject of Sinn Fein. But what I did find was this: that all the class of Unionists in the south of Ireland that were descended from the landlord class, and who, until the question of landlordism had been settled in favor of peasant proprietorship had been all dead against independence, I found that these men were now all in favor of home rule. In the *Irish Times* for September, a conservative paper, I found at least two hundred letters from very conservative gentlemen saying that independence was the only way out. If you desire, I can get a collection of these letters, because it seems to me that they are real evidence of opinion in the south of Ireland. Those gentry constitute the magistrates and the upper class, so to speak. The great majority of these people have resigned from their offices. And when I was in Dublin, there was a conference of six hundred men and women of this particular class of Unionist persuasion who came together to plead for dominion home rule. Lord Shaftsbury, a prominent Ulsterman, also pleads for dominion home rule.

Q. COMMISSIONER WALSH. And until recently these men were all against it? A. While these men were all landlords, their interests were all against home rule. But now, since they have settled down in Ireland, their interests are with the people. Many of them have said to me they had just as soon have Sinn Fein Government as not. Many of them go to the Sinn Fein courts. A big merchant in Cork called J. C. Dowdall, who had just come back from a delegation that had gone to Lloyd George—

Q. COMMISSIONER WALSH. What nationality? A. A Cork Protestant Irishman. He told me that a relative of his had for months tried to get a land settlement from the British Government and had failed; and in a few weeks he got the whole question settled by the Sinn Fein courts.

Witness stated that in many cases there were no reasons whatever for reprisals. In other cases there were mistakes made, like the burning of the English factory at Balbriggan. Witness was in Galway the week after the young Black and Tan shot into the crowd at the station, as witnessed by Mrs. King. After this man had mortally shot a boy, and in turn been shot with his own revolver in a scuffle, he was carried to a house by Sinn Fein Volunteers, who had no suspicion who he was, for he was not in Black and Tan uniform, and was thought to be merely a maniac or a drunken person. At the house it

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was discovered that this man, who had a British revolver, was one of the armed forces of the Crown. The reprisals followed immediately and the full facts of this extraordinary incident, witness stated, were in the hands of Father Griffin of Galway, and he urged that Father Griffin be summoned immediately as a witness.*

An English officer had informed the witness that the Black and Tans were recruited in England, in many cases from former army men. He declared the force contained many adventurers, and convicts. Major Erskine Childers, a Protestant, who won the D. S. O. for bravery in the war and was now a high officer of the Sinn Fein Government, had published a pamphlet showing a great number of thefts committed by Black and Tans. Ireland, stated the witness, over and above its expenses, contributed between 1915 and 1919 62,000,000 pounds to the British Empire. Part of that money was spent to maintain the army of occupation. The Sinn Fein Government got its money partly from bond issues, partly from taxes. It was illegal to advertise the bonds in Ireland. Many were sold in America. In many cases banks containing deposits of Sinn Fein funds had been raided. The British Government had been unable to collect more than 10 per cent of its own taxes in Ireland. Witness was doubtful whether, if the Irish people had been able to build up their own Government without the killing of police, there would have been no reprisals. He thought the British had started out too roughly to handle the situation, for a peaceable conclusion. "They arrested people merely on the suspicion that they wanted independence. They started on a policy of intimidation, and it hardly seemed possible for the Irish Volunteers to function until the police were driven out of the country districts into the towns. In order to do this they had to use force. However, there were very few police killed in getting the evacuation of six hundred barracks—perhaps twenty." But when they were massed in the towns they were able to defy the population. Lots of liquor had been shipped in for the police. In Dublin there were a few members of what is called the Metropolitan Police, not connected with the R. I. C., but directly under Dublin Castle. Some of these men had been killed. The Sinn Feiners agreed with these police that if the police would go unarmed no harm would come to them. This agreement had been scrupulously observed. Witness had no doubt that the R. I. C. could get a similar one.

Witness stated that the republican government had established a land bank in Dublin to provide land for landless men and increase the country's economic wealth by keeping the young men in Ireland. It had established civil courts, which were dispensing justice. It had inaugurated a commission of inquiry into the conditions and sources of industry in Ireland. Its excellent report on milk production was typical of its work. It had established a steamboat line from New York to Ireland. The Irish were using extensively the local self-government machinery established by the British Government some years ago, but whenever these local agencies fell into republican hands and refused to do the will of the English, the British Government cut off their resources. In Dublin part of the money to support the tuberculosis hospital was contributed to the municipality by the British Government. After Dublin declared for the Dail Eireann, this money was cut off.

Q. COMMISSIONER WALSH. Suppose the Black and Tans and the military were removed from Ireland, what would happen? A. The new government would come up from the cellar. It would come up. It would be to England's best interests to let it come up. For Ireland is the second best customer England has. Next to the United States, Ireland consumes more English goods than any other country. And it would be even a better customer if it had an opportunity to develop its own resources. Although Ireland's chief source of wealth is agricultural, there are only one hundred agricultural students in all of Ireland, as against thousands in a country like Denmark. I will leave with you a very precious document entitled "The Constitution of Sinn Fein, Established in 1908," with a program which is now being put into effect. Its first aims were a just economic system, the establishment of a land bank, the early establishment of the Irish mercantile marine, and the development of Ireland's natural resources. There is, for instance, a coal mine only nine miles from where I was born that has never had a railroad. Coal is still hauled by a cart.

Q. COMMISSIONER ADDAMS. Do you have a sense that this tension in Ireland is due to the fact that the military are themselves being forced, that they are in a very forced position? A. They are mixed, I think. There is a current of conflicting winds. I need not tell you that if a hundred and thirty-five thousand soldiers on a war footing got loose to destroy things in Ireland, they would finish the job in a week. But there is this tug between conflicting winds. All of England is not out to massacre Ireland. If they were, they would have massacred them long ago. And so you have this human situation. I talked to an English correspondent who was in a hospital in Limerick, and he said he waved to a motor lorry of soldiers when they went by, and he said, "I bet those men have not got a smile since they got into Ireland. I have seen them in Flanders, and they are all right." This newspaper man was Mr. Hugh Martin. He was in Dublin the next week and saw a row in a bar. An officer who had been drinking too much was flourishing his revolver. The porter tried to shut the door, and the officer pushed his revolver in his face and prevented him. Martin sent a report of it to his paper. Two or three days later a batch of English journalists went to Tralee, and the police came up to them and said, "Which of you is Mr. Martin?" And Martin concealed his identity, and they said, "When we catch Mr. Martin, we are going to kill him." And Mr. Martin forgot the smile he gave the Tommy and left Ireland the next day. And this situation is going on unless some other country, perhaps the United States, can get it into Mr. Lloyd George's conscience that people should not be crucified just because they want the right to govern themselves.

The Testimony of Miss Signe Toksvig

Miss Toksvig (Mrs. Francis Hackett) is assistant editor of the *New Republic*. She accompanied her husband on his trip. She was born in Denmark of Protestant antecedents. Much of her evidence was confirmatory of her husband's. In Belfast she talked with a number of manufacturers who said that the bogy of religious prejudice had been deliberately aroused among the workers in the past to keep them divided. Now some of them were dismayed at the fruit of violence brought forth by this device. In some cases Protestant workers were now striking until Catholics on the job were dismissed. Some of the manufacturers were not opposed to dominion home rule apparently, but they were against a Sinn Fein republic. "My own personal feeling was, in talking with other people in Ulster, people in the stores and in the streets, that they were enough different from the people in the rest of Ireland to have the right to vote as to what would become of them."

Coroners' inquests, witness found, had not been abolished in the north, because "they will invariably bring in the verdict the Crown wants." She attended an inquest in Belfast in the case of a young man shot from an armored car in a side street off a thoroughfare when a riot had been going on. From the police evidence it was perfectly clear that the young man—a Protestant, but a Sinn Feiner who was standing in the doorway of his home, was a quiet, peaceful man. There was no disturbance on his street. Yet the jury acquitted the officers who shot him.

The whole religious question in Ulster was started artificially, as a weapon to keep labor disorganized. But it had been dangled before the people so long that it was now "a very real feeling."

* Following Mr. Hackett's suggestion Father Griffin was invited by the Commission to come to America to give testimony. Shortly after newspaper dispatches related that Father Griffin had been murdered by Black and Tans.

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